

ARTICLES

O F

IMPEACHMENT

O F

HIGH TREASON,

AND OTHER

High Crimes and Misdemeanours,

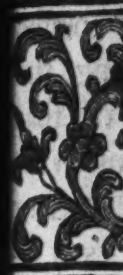
AGAINST

ROBERT, &c.

L O N D O N:

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(Price One Shilling.)



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T H E

P R E F A C E.

Impeachments in Parliament are the Act of the House; but the Penning of the Articles is generally performed by a Member of eminent Abilities for such a Service. The following are ascribed to a distinguished Gentleman. They are extensive in their Nature; therefore proper to employ some leisure Hours of young Persons of Condition; especially such as have Seats in Parliament.

Here

See page 1,
4, 6, 9, 35,
37.

Here we may learn the Judgment of the Commons, of *Great Britain*, that a just Balance of Power in *Europe* ought to be preserved; that aggrandizing the House of *Bourbon* is destructive of that Balance; That the Commerce of *Great Britain* ought to be a principal care of her Ministers of State; That Treaties to secure it ought to be particular and explicit; that general Propositions for that purpose have been considered as insinuating and destructive.

See p. 12,
14, 15.

p. 26.

p. 26.

p. 27; 29,
31.

Here we may observe, not only the adherence to the Enemies of the Sovereign, the paying Money to them, or the corresponding with them, urged as Crimes of the first Magnitude; but also the making a disadvantageous Treaty, when great Supplies had been granted and expended; the not taking Advantage of a fine Army, provided with all Necessaries to act with Vigour, superiour as to Number and Goodness, and animated with a noble Zeal to acquit themselves bravely; here, I say, we may find the Disappointment of that glorious Prospect, by the giving Orders *not to fight*, charg'd as a Crime of a high, perhaps of the highest Nature.

Here

The PREFACE.

Here we are instructed in the Truth of that Adage, *Pax Quæritur bello*, i. e. to make Peace Sword in Hand. Here, too ^{See p. 15,} large Concessions to a Powerful Rival, ^{16, 18, 20,} are imputed as the Crime of adhering to ^{24, 27, 31,} an Enemy; and 'tis again inculcated, that ³⁴ the Securities by Treaties for the *Safety and Advantage of Commerce*, ought to be ^{37, 38.} the most *strict and certain imaginable*: and that keeping them *in suspense*, or leaving them unsettled, is a wicked and pernicious Counsel, and not a little aggravated by slighting the Representations of the *British Merchants*.

In this *Catalogue of Crimes*, the giving up by Treaty, Part of the antient Territories of the Crown, has it's Place, and is aggravated by the Effects which such cession may have upon Commerce. ^{38, 39.}

'Tis here, the Sense of the Commons ^{39, 40.} Great Britain, that 'tis unjust, dishonourable, and pernicious to strip one of his Dominions in favour of another, tho' the less Powerful; and more especially by the Aid of Part of the Fleet Great Britain, and at her Expence.

Here

Here are discovered Means by which a Minister may abuse the Royal Favour, 42, 46, 47. mislead a Parliament into groundless and fatal Resolutions, and obtain their Approbation to his Mysterious and dangerous Practices.

Here the Necessity of the Freedom and 47. Independency of Parliaments is asserted as the Ornament and Support of the Crown; and that when a Minister attempts to destroy them, 'tis with a View to shelter and promote his own unwarrantable Proceedings; That a Minister may have an evil Influence in a House of Commons, and corruptly employ wicked Acts, and Credit gained by false and crafty Insinuations and Practices, to prevent an Examination 51. into a scandalous Misapplication of the Public Treasure; that such an Influence is a vain and wicked Recommendation to Royal Favour, and brings a lasting Reproach and Scandal, on such a House of Commons. 52.

'Tis here deem'd a most vile and scandalous Corruption and Breach of Trust, and an Injustice and Oppression to the Subjects, for a Treasurer to heap up Wealth by procuring exorbitant Grants. 52, 55.

Grants, while his Country Labours under heavy Debts.

'Tis also here considered as a strong ^{55, 56, 57.} Presumption of corrupt Management, when a great Minister employs Instruments and Creatures of his own, to conclude Matters of the highest Importance. Assuming the supreme Direction ^{41, 47, 51.} in the Councils of the Sovereign, is also, ^{63.} mentioned in a Manner that shews, 'tis too bold even in a Lord Treasurer; and upon the Whole we may observe towards the Conclusion, that the many high Stations a Minister has enjoy'd, if he be criminal, serve only to aggravate his crimes.

As the Right Honourable Person, against whom these Articles were exhibited, was acquitted by an unanimous vote, 'tis but Justice to omit his name, and to declare that these are Re-established, not for the particular Facts they contain; but for the Sake of the general Doctrines, or Natural Inferences expressly asserted in, or clearly deducible from

The PREFACE.

from them, which are highly Worthy
the Knowledge of those Persons to whom
the Perusal is recommended, in the first
Paragraph of this Preface.

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ARTICLES, &c.

WHEREAS many solemn Treaties and Alliances have been formerly entred into between the Crown of *England*, and other Princes and Potentates of *Europe*, for their mutual Safety, and from the Considerations of the Common Danger, which threatned all Christendom, from the immoderate Growth of the Power of France. And whereas the preventing the Monarchy of Spain from coming into the Hands of the House of Bourbon, has for many Years been a fundamental Principle and Maxim of Union among the Allies, in order to preserve a Balance of Power in Europe: And to that end, the Designs of France on the Monarchy of Spain have from time to time appear'd, new Treaties and express Stipulations have been enter'd into amongst the Allies, to strengthen themselves against that approaching Danger: And on this Foundation, a Treaty of an intended Partition, whereby a small Part only of the Dominions of the Crown of Spain was allotted to the House of Bourbon, was condemned by the Wisdom of Parliament, as being highly prejudicial, and fatal to the Consequences to England, and the Peace of Europe: And whereas the Duke of Anjou, Grandson to the King of France, on the Demise of Charles the Second, King of Spain, took possession of the Monarchy of Spain, whereby the Balance of Power, the Protestant Religion, and the Liberties of Europe

Europe were threatned with immediate Danger; whereupon *Leopold*, then Emperor of Germany, his late Majesty King *William* the Third, of Ever-Glorious Memory, and the States-General of the *United Provinces*, finding at that most critical Juncture, that a strict Conjunction and Alliance between themselves was become necessary, for repelling the Greatness of the Common Danger, from so great an Accession of Power to the then common Enemy, did, in the Year of our Lord 1701, make, form, and conclude a new Treaty and Alliance, whereby it was agreed That there shall be and continue between the said Confederates, his Sacred Imperial Majesty, his Sacred Royal Majesty of *Great Britain*, and the Lords the States-General of the *United Provinces*, a constant perpetual, and inviolable Friendship and Correspondence, and that each Party shall be obliged to promote the Advantages of the other, and prevent all Inconveniencies and Dangers that might happen to them, as far as lies in their Power: That the said Allies, desiring nothing more earnestly than the Peace and general Quiet of all *Europe*, have judg'd that nothing can be more Effectual for the Establishment thereof, than the procuring an equitable and reasonable Satisfaction to his Imperial Majesty his Pretension to the Spanish Succession, and that the King of *Great Britain* and the States-General may obtain a particular and sufficient Security for their Kingdoms, Provinces and Dominions, and for the Navigation and Commerce of their Subjects: That the said Confederates thereof shall, in the first Place, endeavour, by amicable Means, to obtain the said Satisfaction; but if, contrary to their Expectations and Wishes, the same is not had, the said Confederates do engage and promise to one another, that they will assist each other with

forces according to a Specification to be agreed
 in a peculiar Convention for that pur-
 That the Confederates, in order to the pro-
 the Satisfaction and Security aforesaid, shall,
 other Things, use their utmost Endeavours
 over the Provinces of the *Spanish Low-Countries*,
 they may be a Fence and Rampart, commonly
 Barrier, separating and dividing *France* from
 ted Provinces, for the Security of the States-
 as they have serv'd in all times, till of late
 most Christian King has seiz'd them by his
 as likewise the Dutchy of *Milan*, with it's
 ences, as a Fief of the Empire, and contri-
 to the Security of his Imperial Majesty's He-
 Dominions; besides the Kingdoms of *Naples*
 ly, and the Lands and Islands upon the Coast of
 in the Mediterranean, that belonged to the
 Dominions, and may serve to the same Purpose,
 be also of Advantage to the Navigation and
 of the Subjects of the King of Great Britain,
 the United Provinces: That in Case the
 erates shall be forced to enter into a War, for
 g the Satisfaction aforesaid for his Imperial
 and the Security of his Majesty of *Great*
 and the States-General, they shall commu-
 their Designs to one another, as well in Rela-
 the Action of the War, as all other Things
 the common Cause is concerned: That it
 be permitted to either Party, when the
 once begun, to treat of Peace with the
 unless jointly, and by a Communication of
 ; and no Peace shall be made, unless an equi-
 reasonable Satisfaction for his Imperial Ma-
 and the particular Security of the Kingdoms,
 Dominions, Navigations, and Commerce for
 ty of Great Britain, and the States-General,

*be first obtained; and unless Care be taken, by
 ring Security, that the Kingdoms of France
 Spain shall never come and be united under the
 Government, nor that one and the same Person
 be King of both Kingdoms; and particularly that
 French shall never get into the Possession of
 Spanish Indies, neither shall they be permitted
 sail thither on the Account of Traffick, direct
 indirectly, on any Pretence whatsoever: And
 unless full Liberty be granted unto the Subjects
 King of Great Britain, and the States-General, to
 cise and enjoy all the same Privileges, Rights,
 nities, and Franchises of Commerce by Sea and
 Spain, the Mediterranean, and all Lands and
 which the King of Spain last deceased did possess
 Time of his Death, as well in Europe as else
 which they used and enjoyed, or which the Subj
 both, or either of them, by any Right acqui
 Treaties, Agreements, Customs, or any other
 whatsoever, might have used and enjoyed before
 Death of the late King of Spain: That, at
 same Time that the said Agreement or Peace
 be made, the Confederates shall agree among
 themselves about all the Things that they shall
 necessary for maintaining the Navigation and
 merce of the Subjects of his Majesty of Great
 tain and the States-General, in the Lands and
 minions they may acquire, and that were
 by the late deceased King of Spain, and
 what manner the States-General may be
 by the aforesaid Fence or Barrier. And
 his said late Majesty King William, and the
 General, seriously considering that France
 become so formidable from the Accession of
 the Duke of Anjou, that, in the Opinion of
 World, Europe was in danger of losing her*

undergoing the heavy Yoke of Universal Monarchy,
 that the surest Means of effecting that Design,
 to divide the King of Great Britain from
 States-General, for which Purpose all ima-
 ble Efforts would be made; they therefore
 thought it necessary to unite in the strictest Manner
 as possible, and to that End a *Defensive*
and Alliance was concluded and entered
 between them, in or about the Month of No-
 vember, 1701, wherein it was among other Things
 agreed, That in case the said High Allies should
 be jointly engaged in War, by reason of this De-
 fensive Alliance before-mentioned in the fifth Ar-
 ticle, or on any other Account, there shall be an
 offensive, and Defensive, and Perpetual Alliance
 between them, against those with whom War shall
 be, and all their Forces shall be employed by Sea
 and Land, and they shall act in conjunction or se-
 parately, as it shall be agreed between them. That
 in the Alliance with the Emperor made in
 the last, particular Care was taken of the Re-
 covery of the *Spanish Low Countries*, out of the
 hands of the most Christian King, the said Confe-
 derates expressly engage to aid one another with all
 their Forces for the Recovery of the same. And in
 the principal Interest of the said Confederates
 in the Preservation of the Liberties of Eu-
 rope, the before-mentioned Treaty with the Empe-
 ror shall be faithfully and sincerely executed, and
 the Parties shall guaranty the same, and use their
 utmost Endeavours to confirm and render it more strong
 from time to time: That in making Peace, particu-
 lar Care shall be taken of the *Commerce and Traffick* of
 the *Low Countries*, as also for their Security, as well in
 the *Low Countries*, as the Countries adja-
 cent, that when the War is begun, the Confede-

rates shall act in concert, according to the Seventh and Eighth Articles of the Treaty of the Thirtieth of *March*, in the Year of our Lord 1648, concluded between *England* and *Holland*, which is hereby renewed and confirmed; and no Peace, nor Truce, or Suspension of Arms, shall be negotiated or made, but according to the Ninth and Tenth Articles of that Treaty; by which it was agreed, that when the two Allies come to an open War, it shall be lawful for neither of them afterwards to conclude any Cessation of Arms with him, who shall be declar'd and proclaim'd an Enemy, without it being done conjointly, and with common Consent: and no Negotiation of Peace shall be set on Foot by either of the Allies, without the Concurrence of the other. That each Ally shall continually, and from time to time, impart to the other every Thing that shall pass in the said Negotiation, and shall assist the other with the common Enemy for the same Rights, Privileges, Immunities, Exemptions and Prerogatives for his Part, as he does for himself, if so be the said Ally shall not agree to the contrary. And whereas the said King having got Possession of a great Part of the *Spanish* Dominions, exercised an absolute Authority over that Monarchy, having seiz'd *Milan* and the *Spanish Low-Countries* by his Armies, and made himself Master of *Cadiz*, of the Entrance into the *Mediterranean*, and of the Ports of the *Spanish* Indies by his Fleets, every where designing to invade the Liberties of Europe, and to obstruct the Free Navigation and Commerce; and instead of the Satisfaction that ought justly to be done, he had proceeded to further Violences, and had caused him to declare the pretended Prince of Wales King of *England*, *Scotland*, and *Ireland*, who also influenced *Spain* to concur in the same.

front; her late Majesty Queen *Anne* taking Notice, that she found her self obliged, for maintaining the Publick Faith, or vindicating the Honour of the Crown, and to prevent the Mischiefs which all Europe was threaten'd with, to declare War against France and Spain; did accordingly, in the Month of *May* 1702; in the most publick and solemn Manner, declare War against *France*, and *Spain*; and in the said Declaration, placing her entire Confidence in the Help of Almighty God, in so just and necessary an Undertaking, declared, That she would, in Conjunction with her Allies, vigorously prosecute the same both by Sea and Land, being assured of the ready Concurrence of her Subjects, in a Cause they had so openly and heartily espoused. And his Imperial Majesty and their High Mightinesses, pursuant to the Treaties aforementioned respectively, in or about the said Month of *May*, 1702, did likewise declare War against *France* and *Spain*. And whereas the Kings of *Portugal* and *Prussia*, the Electors of *Hanover*, *Saxony*, *Treves*, *Mentz*, Palatine of the *Rhine*, the Duke of *Savoy*, the Prince of *Hesse*, the Dukes of *Wolfembuttel*, *Mecklenburg*, and *Wirtemberg*, the Circles of *Suabia* and *Franconia*, and of the *Upper-Rhine*, the Bishops of *Munster* and *Constance*, and other Princes and Powers, being invited by the said Grand Alliance, and relying on the Faith thereof, did afterwards become Parties to the said Confederate War against *France* and *Spain*; and in the Treaty entered into in or about the Month of *May*, One Thousand Seven Hundred and Three, between his Imperial Majesty, the Queen of *Great-Britain*, the States-General, and the King of *Portugal*, it was, amongst other things, expressly stipulated, That no Peace nor Truce shall be made, but by the mutual Consent of all the Confederates; nor shall at any time be made, whilst the second Grandson of the most

Christian King by the Dauphin, or any other Prince of the Line of *France* continues in *Spain*, nor unless the Crown of *Portugal* shall fully possess and enjoy all the Lands, Kingdoms, Isles, Castles, Cities, Towns, &c. with their Territories and Dependences in *Spain*, or elsewhere, which it now possesses. And in the Treaty of *Nordlingen*, ratify'd by her late Majesty, it is, amongst other things, expressly agreed, that it shall not be allowed to make particular Treaties, but the Peace shall be jointly treated of, and shall not be concluded without obtaining, as far as is possible, the Re-Union of the Lands belonging to the Circles, and until at least the Security of the associated Circles be absolutely provided for, in the best manner that is possible, and better than it has formerly been. And whereas to give the greatest Strength that was possible to the Union, so necessary to both Nations, her late Majesty and the States, by a Treaty in the Month of *June*, One Thousand Seven hundred and Three renewed and confirmed all Treaties and Alliances then subsisting between them; and therein it is, amongst other things, expressly and particularly stipulated, That as the said most Serene Queen, and the Lord the States-General, are now in War with *France* and *Spain*, and are reciprocally bound to assist each other, and mutually to defend, maintain, and preserve their Countries and Subjects in their Possessions, Immunities, and Liberties, as well of Navigation and Commerce, as other Rights whatsoever by Sea and Land against and in Opposition to all Kings, Princes, States, and particularly against *France* and *Spain*, the end a just and reasonable Peace may the better be obtained, that may establish the Repose and Tranquility of *Europe*, it is agreed between the most Serene Queen of *Great Britain*, and the said Lords

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General, that neither of the said Allies shall
 make a Suspension of Arms or a Peace with *France*
Spain, or any other King, Prince, or State, who
 shall molest or attack either of the said Allies, but
 in Conjunction and by common Consent. And
 whereas the said War was for several Years carry'd on
 with Vigour and Unanimity by her Majesty and her
 Allies, at a vast Expence both of Blood and Treasure;
 the Support of which, on the Part of England,
 many Millions have been granted by Parliament, who,
 on many Occasions since, continued not only to express
 their Sense of the Justice and Necessity of the War, but
 frequently give their humble Advice to the Throne,
 that no Peace could be Safe, Honourable, or Lasting,
 as long as the Kingdom of Spain and the West-Indies
 continued in the Possession of any Branch of the House
 of Bourbon. And whereas it pleased Almighty God
 to grant to the Confederate Arms, under the Com-
 mand of their Great and Victorious General the Duke
 of Marlborough, such unparall'd Successes as ex-
 ceeded even their own Hopes and the Fears of the
 Enemy; and by the many signal Victories of *Schell-
 berg, Hochstet, Audenarde, and Ramellies*, as well
 as by the Conquests of the Electorates of *Bavaria*
Cologne, and the Reduction of the *Spanish Nether-*
lands, and many other great Advantages both by
 Sea and Land; and by the Wisdom and Unanimity
 of their Counsels, the Glory of the Confederate Arms,
 and the Reputation of *Great Britain* in particular,
 rais'd to an higher Pitch than in any former
 Age. And whereas her late Majesty, in Conjunction
 with her Allies, wisely foreseeing, that whenever the
 Enemy should be brought to make Overtures of
 Peace, the surest way to put an End to the War,
 was to prevent *France* from putting in Practice her
 secret Intrigues, was, by previously insisting on such
 Conditions

Conditions from *France*, that nothing might remain to be done in a General Assembly, but to give them the Form of a Treaty; and for these Reasons a Preliminary Treaty was concluded on, and was afterwards sign'd by the Plenipotentiaries of his Imperial Majesty, of her late Majesty the Queen of Great Britain, and of the Lords the States-General of the United-Provinces, and afterwards ratified by their Principals; wherein the Interests of the several Allies were adjusted, in order to a General Treaty of Peace with *France*: and therein, the Restitution of the *Spanish* Monarchy to the House of *Austria* being one of the chief Causes for carrying on the War, is laid down as an immutable Foundation among the Allies. And whereas in the Year of our Lord 1709, the King of *France* having first signify'd his Consent to the Restitution of the *Spanish* Monarchy to the House of *Austria*, sent his Minister to the *Hague* to treat with the Ministers of the Principal Allies on a General Peace; and in the Conferences held thereupon, the Interests of all the Allies as adjusted in the said Preliminaries, were positively and expressly agreed to by the Ministers of *France* and particularly that of the Restitution of the entire *Spanish* Monarchy to the House of *Austria*; and the said Negotiation was afterwards broke, on no other Dispute but on the thirty seventh Article of the Preliminary Treaty, concerning the Time and Manner of evacuating *Spain*. And whereas the Conferences being resumed at *Gertruydenberg*, in the Year of our Lord 1710, the said thirty seventh Article became the only Subject of the Negotiation which was there set on foot, for the finding out some Equivalent by which the same Security might be given to the Allies, as they had by the thirty seventh Article of the said Preliminaries; and though

though it was unquestionable, that before any Negotiation was begun, that while the Preliminaries were treating, that by those Preliminaries themselves, that before the last Negotiation was resumed, and all the while it lasted, the Restitution of *Spain* and the *Indies* was laid down as a firm and immoveable Foundation of the Negotiation, and no question remain'd concerning it with the Ministers of the Allies or those of *France*, but touching the Security for its Execution; and tho' all reasonable and prudent Overtures were made by the Allies for settling an Equivalent, yet the Conferences were broke off by *France*, without any Satisfaction therein. And whereas the sincere Intentions of all the Allies to have settled the Peace of *Europe* on solid and equitable Foundations were notorious and incontestable, and the Rupture of the said Negotiations could only be imputed to the Enemy; her Sacred Majesty, in Conjunction with her Allies, renew'd their Resolutions to continue and push the War with Vigour, and to make all possible Efforts, as the only Means left to force a good and general Peace. And her Majesty, in her Speech from the Throne on the Fifteenth of *November*, 1709, taking notice of the Endeavours of the Enemy during the said Negotiation to amuse and create Jealousies among the Allies, declared her Resentment thereat, and earnestly recommended the carrying on the War, and a vigorous Prosecution of the Advantages obtained, that she might put the last Hand to *that great Work of reducing the exorbitant and oppressive Power which had so long threatned the Liberties of Europe*. And it having pleased Almighty God, after the said Preliminary Treaty to bless the Confederate Army, under the Command of their consummate General the Duke of *Marlborough*, with new and signal Conquests, the Reduction of *Tournay*, the Victory of *Tasnières*, the
Taking

Takidg of *Mons* and *Doway*, *Bethune*, *St Venant*, and *Aire*, and the Penetrating the Lines near the *Scarpe*. And whereas, from the prosperous Condition of the Allies, and the Wisdom, Firmness, and Unanimity of their Counsels, nothing remained, in all human Appearance, but that they should reap the Fruits of all their Victories in a speedy, just, honourable and lasting Peace; and on the other hand, nothing was left to raise the Hopes of the Enemy, whereby to defeat that happy Prospect, but the Success of their secret Endeavours to disunite the Confederacy. And whereas *Robert, &c.* with other evil-minded Persons, Enemies to the true Interests of their own Country, as well as to the common Liberties and Welfare of Europe, having by many wicked Arts and base Insinuations obtain'd Access to her late Majesty *Queen Anne*, and in or about the Months of *July* or *August*, 1710, being admitted into her Councils, and into Places of the highest Trust; and to make way for their wicked Enterprizes, did, by their evil Counsel and Advice, prevail on her Majesty to dissolve a Parliament which had given the most unquestionable Proofs of their great Wisdom, and of their true Zeal for the common Cause; for which, as well as for the many Marks of Duty and Affection given to her, her Majesty return'd her hearty Thanks, and express'd her great Satisfaction. And whereas the said *Robert, &c.* and others his Accomplices, had formed a treacherous Correspondence with the Emissaries of France, by means whereof certain Propositions were transmitted from France to England, sign'd by *Monsieur de Torcy*, Secretary of the King of France, in the Month of *April*, 1711, to be the Basis of a General Peace; which Propositions, tho' her Majesty was prevail'd on by the false Counsels of the said *Robert, &c.* and others to receive as a sufficient Foundation of a Treaty of a General Peace, and

as such to communicate them to the Grand Pensionary and the Ministers of *Holland*, her Majesty however was graciously pleased at the same time to declare to them her Pleasure by her Secretary of State, That being resolv'd, in making Peace as in making War, to act in perfect Concert with the States, she would not lose a Moment in transmitting a Paper of that Importance; and that tho' the Propositions were general, and contain'd an Air of Complaisance to her Majesty, and the contrary towards the States; yet that could have no ill Consequences, as long as her Majesty and the States understood one another, and acted with as little Reserve as became two Powers so nearly ally'd in Interest; and that the Pensionary should be assured, that that Rule should be inviolably kept on her Part. Which gracious Declaration of her Majesty, as well as the said Propositions, being maturely consider'd by the Grand Pensionary and the Ministers of *Holland*, an Answer was return'd from them to her Majesty full of Duty and Thankfulness for the obliging manner in which she was pleased to communicate the said Propositions, and with the utmost Assurances of mutual Confidence, so necessary to prevent the Designs of the Enemy; but more particularly that the States desired, equally with *Great Britain*, to have a general, definitive, and lasting Peace, and declar'd that they were ready to join in all the most proper Measures to procure it; that the Propositions were yet too general, and that the States desire, as *Great Britain* did, that *France* would explain herself more particularly upon the Points therein contain'd, and impart a Plan which she thinks the most proper to secure the Interest of the Allies, and settle the Repose of *Europe*, after which a more particular Negotiation might be enter'd into. Notwithstanding all which Premises,

ARTICLE

ARTICLE I.

He the said Robert, &c. having no Regard to the Honour or Safety of her late Majesty, or her Kingdoms, or to the many solemn Engagements she was then under to the old and faithful Allies of this Nation, or to the common Liberties of Europe; but, being devoted to the Interest and Service of the French King, the common Enemy; and being then Lord High-Treasurer of Great Britain, and one of her Majesty's most Honourable Privy-Council, contrary to his Oath, and in Violation of his Duty and Trust, and in Defiance of the Tenour of the several Treaties afore-mention'd, or some of them, as well as of the frequent Advices of Parliament, and the many Declarations of her Majesty from the Throne; but more particularly in Defiance of the solemn and mutual Assurances which had been so lately renew'd between her Majesty and the States, to act in perfect Concert with them in making Peace as in making War, did on or about the Months of July or August in the Year of our Lord 1711, maliciously and wickedly form a most treacherous and pernicious Contrivance and Confederacy with other evil-dispos'd Persons, then also of her Majesty's Privy-Council, to set on foot a private, separate, dishonourable, and destructive Negotiation of Peace between Great Britain and France, without any Communication thereof to her Majesty's Allies, according to their several Treaties; and was not only wanting in his Duty and Trust to her Majesty, by not opposing, and, as far as was in his Power, by not advising her Majesty against going into any private separate Negotiations with France; but in Execution of his Purposes aforesaid, he the said Robert, &c. did advise her late Majesty to send Matthew Prior, Esq; directly to the Court of France, to make Propositions of Peace, without

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communicating the same to her Majesty's Allies. and accordingly the said *Matthew Prior*, by the Advice and with the Privy of him the said &c. and other false and evil Counsellors, in or about the months of *July* or *August*, in the Year of our Lord 1711, was sent in a clandestine manner from *England* to *France*, and did communicate the said Propositions of Peace to the Minister's of *France*, in which the particular Interests of Great Britain, as well as the common Interest of Europe, were treacherously betray'd : And in Manifestation of the said Design to exclude her Majesty's Allies from their just Share in the said Negotiation, an express Article was inserted in the said Propositions, by the Advice and Advice of him the said *Robert*, &c. that the Secret should be inviolably kept till allowed to be divulged by the mutual Consent of both Parties ; although the *French* King had in the Propositions signed by *Mounfieur de Torcy*, and submitted in the Month of *April* preceding, offered to treat with the Plenipotentiaries of *England* and *Holland* alone, or jointly with those of the Allies, at the Choice of *England*. By which treacherous and dangerous Advice he the said *Robert*, &c. did not only contrive and set on foot a Negotiation of Peace more advantageous to *France* than even *France* itself had ask'd ; but thereby did put it into the Power of the common Enemy to create incurable Jealousies and Discords between her Majesty and her faithful Allies, and to destroy that Confidence which had so long and so successfully been maintained between them, and which was so necessary for their common Safety.

ARTICLE II.

That the *French King* laying hold of the said treacherous Overture, set on foot in manner aforesaid, did
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in or about the Months of *August* or *September*, the Year of our Lord 1711, send over Monsieur *Mefnager* into England, to carry on a clandestine separate Negotiation of Peace; which being made known to him the said Robert, &c. he did afterwards in said Month of *September*, 1711, secretly and unlawfully, without any Colour of Authority, meet, confer, and treat with the said *Sieur Mefnager* on the Negotiation of Peace between Great Britain and France; and therein he did advise and promote the making a private and separate Treaty or Agreement between the said Crowns; which said Treaty or Agreement was afterwards, with the Privy, Consent, and Advice of him the said Robert, &c. agreed, concluded, and signed by the said *Sieur Mefnager* on the part of France, and by the Earl of *Dartmouth* and *Henry John*, Esq; two of her Majesty's Principal Secretaries of State, in Behalf of her late Majesty, by virtue only of her Majesty's Sign Manual under the Signet, and without the least Knowledge or Participation of the Allies. In which Treaty the immediate Interests even of Great Britain are given up to France, and the Duke of *Anjou* is admitted to be King of *Spain*; an express Stipulation being therein made with the said *Mefnager* in the Name, and (as is therein alleged) pursuant to Powers from King *Phillip* as King of *Spain*: Whereby he the said Robert, &c. did not assume to himself Regal Power, in taking upon himself to meet and treat with the Enemy without any Authority or Powers from her Majesty; but did what in him lay to subvert the ancient and established Constitution of the Government of these Kingdoms, by introducing legal and dangerous Methods of transacting the important Affairs of the State; and by which private and separate Treaty, he the said Robert, &c. did what in him lay to dissolve and cancel the

solemn Treaties her Majesty then stood engaged in to her good and antient Allies, and whereby her Majesty, even before any thing was finally settled for the Safety or Advantage of her Kingdoms, was brought to this fatal Dilemma; either to submit to the Dictates of *France* in the Progress of the said Negotiation, or, so notorious a Breach of National Faith being divulged by the Enemy, from thence to lose all future Confidence of her good Allies.

A R T I C L E III.

That the said Robert, &c. the better to disguise and carry on the aforesaid private, separate, and dangerous Negotiation, did, together with other evil-disposed Persons, then in high Trust under her Majesty, strive and advise the preparing and forming a Set of General Preliminaries, intituled, Preliminary Articles on the part of *France*, to come to a General Peace; that the same should be sign'd by the *Sieur Mesnager* only. And the same being so prepar'd and sign'd by the said *Sieur Mesnager*, he the said Robert, &c. did, contrary to his Duty and Trust, immoderately advise her Sacred Majesty that the same should be received and accordingly they were received by her Majesty, and communicated to the Ministers of the Crown then residing in *England*, as the Ground of a General Negotiation of Peace; and as if the same were the only Transactions that had been on this subject between *Great Britain* and *France*. And to this end, the private Treaty, sign'd as aforesaid by the Earl of *Dartmouth* and Mr *St. John* on the part of *England*, and by the said *Sieur Mesnager* on the part of *France*, was by the evil Advice and Contrivance of him the said Robert, &c. and others, wilfully and industriously conceal'd not only from all the

the Allies, but even from her Majesty's Council and her Parliament. And he did further advise her Majesty not only to accept the said General Preliminaries, but in her Name and by her Authority to communicate the same to the States-General, as a sufficient Foundation whereupon to open the Conference of Peace with *France*. And the more effectually to cover from the States-General the pernicious Scheme which his evil Influence had engag'd her Majesty with the common Enemy; certain Instructions were prepar'd, and, by his Counsel and Advice, were sign'd by her Majesty, and delivered to the Earl of *Strafford*, her Ambassador to the States-General. Wherein the said Earl of *Strafford* is directed to present to the Pensionary of *Holland*, and to others as shall be appointed to confer with him, when her Majesty had received, in *May* last, by the Excellency's Dispatches, an Account of the Secret, had of the Overtures made by *France* setting a General Negotiation of Peace again on foot, and of the Answer which it was desir'd might be turn'd to the Propositions signed by *Monsieur Torcy*; her Majesty did immediately acquaint the Enemy that their Offers were thought by her and by the States-General neither particular nor full enough; and therefore that her Majesty did insist, that they should first distinct Project of such a Peace as they were willing to conclude. Whereas no such Instances had been made to the Enemy on her Majesty's Behalf; but on the contrary, notwithstanding her Majesty had declar'd the Propositions of *Monsieur de Torcy* were thought by her and the States-General neither particular nor enough, yet without any further Explication from the Enemy, her Majesty was prevail'd on, in manner said, to send over Propositions to *France* as general

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insuaring, and in all respects as destructive to the Interests of Great Britain and her Allies, as the Propositions of Monsieur de Torcy. And the said General Preliminaries, communicated to the States in manner aforesaid, were calculated only to amuse and deceive them into a General Negotiation with France. And in the Particulars aforesaid, as well as in the several others, the said Instructions contain'd Matters either false or grossly prevaricating and evasive. By which most wicked Counsels of him the said Robert, &c. that unquestionable Truth and Sacredness which by the Laws of Nations ought to accompany and constitute the Instructions of publick Ambassadors to Princes in Friendship and Confederacy against the common Enemy, was most vilely prostituted to the most dangerous Purposes, to deceive and mis-lead her Majesty's good Allies in Matters of the greatest Importance to their own Interests and the Interests of these Kingdoms; the Honour of her Majesty's Sacred Person, and of the Imperial Crown of these Realms, which had been raised to the highest Pitch of Glory abroad, and had been justly held in Veneration with her good Allies, was scandalously debased and betrayed; and the Royal Hand, by the wicked Arts of him the said Robert, &c. was made the Instrument to advance the Interest of the common Enemy.

A R T I C L E IV.

That whereas the Earl of *Strafford*, pursuant to his said Instructions, had communicated the Preliminaries signed by Monsieur *Mesnager* only to the States-General, who being justly alarm'd at the pressing Instances made on the part of her Majesty, that Conferences should be opened on Propositions as general and

uncertain as those so lately offered by France, and signed by Mounſieur de Torcy; and their High Mightineſſes having been unſucceſſful in the Remonſtrances to the Earl of Strafford againſt opening the Conferences upon the ſaid Propoſitions, did ſend over Monſieur Buys their Ambaſſador to repreſent to her Majeſty, as well the Hazard of meeting the Miniſters of France before the eſſential Articles were firſt ſettled by ſpecial Preliminaries, or at leaſt explained by France, and made Specifick; as likewiſe the Advantages to the Enemy, who being but one Body, were influenced by one Council, and directed by one Power; whereas the Confederates conſiſted of ſeveral Powers, whoſe Interests are not only diſtinct, but in many Caſes contrary to each other, whereby the French would have a fair Opportunity to divide the Allies, when it would be impoſſible for them to break in upon France; and further to repreſent, that the Propoſitions themſelves were in ſome Inſtances very prejudicial, particularly in the Articles of Commerce, Dunkirk, and the Union of the Crowns of France and Spain. All which Representations of the ſaid Monſieur Buys, by the evil Influence of him the ſaid Robert, &c. and others, were rendered ineffectual; but in order to prevail upon the States-General to open the Conferences upon the ſaid general Preliminaries, by the Management and Contrivance of him the ſaid Robert, &c. and others, an Occaſion was taken to declare to Monſieur Buys, at a Committee of Council in her Majeſty's Name, Her conſtant Affection and good Diſpoſition to their State, and to the promoting their Interests, and to treat with their High Mightineſſes with a perfect Confidence and Harmony: And at the ſame time he the ſaid Robert, &c. did then falſly and maliciously declare, or was privy to adviſing and conſenting that it ſhould be, and ſo it was declared,

her Majesty's Name, that she had made no separate Treaty with *France*, nor would ever make any before she had fully complied with all Engagements to her Allies, and that each of them should have Opportunity to make good their Pretensions.

By which false, scandalous, and dishonourable Assurances, he the said *Robert*, &c. did not only highly dishonour her Majesty, by whose Privity the said separate Treaty with *France* had been before that time concluded and signed; but their High Mighnesses, the Good Friends and ancient Allies of her Majesty, were grossly abused, and thereby induced to enter into a Negotiation with *France*, so dangerous to it self, and so fatal in its Consequences.

ARTICLE V.

That her Sacred Majesty Queen *Anne* having in due Form of Law, and under her Great Seal, constituted the Right Reverend *John* Lord Bishop of *Bristol*, and the Earl of *Sirafford*, her Plenipotentiaries with full Powers to meet, treat, and conclude with the Plenipotentiaries of the Confederates, and those from the *French* King shall on his part depute for that purpose, the Conditions of a good and general Peace, that shall be safe, honourable, and, as far as is possible, agreeable to the reasonable Demands of all Parties; he the said *Robert*, &c. not contenting himself to abuse the Royal Authority, to the Delusion of the States-General, the nearest Allies of the Queen, intending the Universal Prejudice of his Imperial Majesty, and all the Allies of these Kingdoms, and thereby the more successfully to carry on the Measures of *France* wherein he was then engaged, conceived and prepared Instructions, or was privy to conceiving and advising the same, for her Majesty's said Plenipotentiaries,

Plenipotentiaries, which she was prevailed upon by the said *Robert*, &c. his evil Counsel to sign, and the same were delivered to the said Plenipotentiaries, wherein among other things they are instructed to the effect following, *viz.* If it shall be thought proper to begin with the Disposition of the *Spanish* Monarchy, you are to insist that the Security and reasonable Satisfaction which the Allies expect, and which his most Christian Majesty has promised, cannot be obtained, if *Spain* and the *West-Indies* be allotted to any Branch of the House of *Bourbon*. Whereas the said *Robert*, &c. had at that time privately and treacherously negotiated and agreed with the Ministers of *France*, That *Spain* and the *West-Indies* should remain in a Branch of the House of *Bourbon*, and had prevailed on her Sacred Majesty to be Party to the said private Treaty, wherein the same is necessarily implied. And the said Plenipotentiaries are further instructed, in case the Enemy should object as the Imperial Ministers had done, that the second Article of the seven signed by the *Si* *Mefnager* implies, that the Duke of *Anjou* shall continue on the Throne of *Spain*; you are to insist, that those Articles, as far as they extend, are indeed binding to *France*, but that they lay neither us nor our Allies under any positive Obligation: whereby the said *Robert*, &c. basely entered into a Confederacy and Conclusion even with the Ministers of the Enemy and prevailed on her Majesty to give her Royal Consent thereto, the more effectually to impose on the Imperial Majesty and all the Allies, and to continue the said secret Negotiations, and the separate Treaties that had been agreed on between *Great Britain* and *France*. And the said *Robert*, &c. not only in the Particulars before-mentioned, but in many others contained in the said Instructions, has brought a late

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Reproach on the Crown of these Realms, and grossly violated the many Treaties wherein her Sacred Majesty was then engaged to her Allies, to act in perfect concert with them throughout the Negotiations of Peace.

ARTICLE VI.

That the Conferences of Peace being opened between the Plenipotentiaries of the Allies, and those of the Enemy, for the negotiating a General Peace upon the mutual and most solemn Engagements amongst the Allies, not only to act in perfect Confidence with each other, but to promote their common Interest, and to obtain from the Enemy all just and reasonable Satisfaction; and a specifick Explanation of the General Preliminaries having been given in by the Enemy at *Utrecht*, whereon the Allies delivered their respective Demands; by the Artifices of *France*, and the secret Encouragement and Concurrence of the Ministers of *Great Britain*, the progress of the said publick Negotiation was delayed and kept in suspense, under pretence of the Enemy's refusing to give their Answer in Writing: during which time, *he the said Robert, &c. again assuming to himself Regal Power in Derogation of the Royal Authority, to treat of Peace with France, which was then delegated under the Great Seal of Great Britain to her Majesty's Plenipotentiaries at Utrecht, and for the promoting the Designs of the Enemy, to the apparent Destruction of the common Cause of her Majesty and her Allies, contrary to the known Laws and Constitution of this Kingdom, in direct Violation of the several Alliances her Majesty then stood engaged in, and in Opposition to the many Assurances given by her Majesty to act in Concert with her Allies, and in Defiance*

ance of the express Instructions given to her Plenipotentiaries, was not only wanting in his Duty to her Majesty, as far as in him lay to have put an end to, and prevented any further private and unlawful Negotiations with *France*, but did, with other his Accomplices, advise, concur, continue, and promote a private, separate, and unjustifiable Negotiation of Peace with *France*, directly from *England* to *France*, without any Communication thereof to the Allies; and in such private Negotiations did concert with the Ministers of the Enemy Terms of Peace highly prejudicial to the Interest of her Majesty and her Kingdoms, and of all her Allies, and whereby the good Effects of the said General Negotiations were entirely defeated.

ARTICLE VII.

That her Sacred Majesty Queen *Anne* having been prevailed on by the false Counsels of him the said *Robert*, &c. to accept of a Treaty with *France*, on the Supposition that the *Spanish* Monarchy should continue in the Possession of a Branch of the House of *Bourbon*; and it being acknowledged even by the *French* King in the general Preliminaries signed by Monsieur *Mefnager*, that the Excess of Power from the Re-union of the Crowns of *France* and *Spain* would be contrary to the Good and General Reputation of *Europe*: He the said *Robert*, &c. having nothing so much in view as the aggrandizing the common Enemy, yet always intending to cover the Iniquity of his Heart under specious Pretences and false Appearances did wickedly and treacherously advise and carry on a private and separate Negotiation with *France*, on the Subject of a Renunciation of his Right to the Kingdom of *France* by the Duke of *Anjou*, and that such Renun-

tion should be the Security against the Re-union of the
 two Kingdoms. And by the Influence of his evil Coun-
 sels her Majesty was prevailed on to accept and finally to
 conclude and ratify a Treaty of Peace with France,
 wherein the said Renunciation is taken as a sufficient
 Expedient to prevent the Mischiefs that threaten'd
 all Europe, in case the Crowns of France and Spain
 should be united upon the Head of one and the same
 person; although he the said Robert, &c, well
 knew, that a Memorial had been, during the
 said Separate Negotiation, transmitt'd by Monsieur
 Torcy, Secretary of State and Minister to the
 French King, to one of her Majesty's Principal
 Secretaries of State; whereby it was declared, that
 the said Renunciation would be null and invalid
 by the Fundamental Laws of France, which Laws
 are looked upon as the Work of him who had
 established all Monarchies, and which he only
 could abolish; and that no Renunciation therefore
 could destroy it: and if the King of Spain should
 pronounce, they would deceive themselves that
 should receive it as a sufficient Expedient to pre-
 vent the Mischiefs propos'd to be avoided. By
 such false and treacherous Counsels, he the said
 Robert, &c. did not only betray the Interests of
 the common Cause into the Hand of the most formi-
 dable Enemy, but wilfully and maliciously abused the
 Reputation and Influence which he had obtained with
 her Majesty, so far as to engage her sacred Majesty,
 the Honour of the Imperial Crown of these
 Kingdoms, to become Party with France in so fatal
 a Con-
 ceit,

ARTICLE

ARTICLE VIII.

That her late Majesty Queen *Anne* having on the Seventh Day of *December*, in the Year of our Lord 1711, earnestly recommended it from the Throne, that Provision might be made for an early Campaign, in order to carry on the War with Vigour, and as the best Way to render the Treaty of Peace effectual; in order to which vast Supplies were granted, and Magazines provided at a great Expence for an early Campaign; and in pursuance thereof, her Majesty having sent her Generals, *Ligonier* and *Cadogan*, to give early Assurances to her Allies of her sincere Intentions, and likewise expressly instructed her General, the Duke of *Ormond*, not only to renew the same Assurances, and declare her Resolutions of pushing on the War with utmost Vigour, but to concert with the Generals of the Allies the proper Measures for entering into Action; and the Confederate Army, which at that time was the finest and strongest that had been in the Service during the whole Course of the War, and provided with all Necessaries to act with Vigour, having march'd according to the Resolution in concert with her Majesty's General, almost to the Enemy, with a great Superiority both as to the Number and Goodness of Troops, and animated with a noble Courage and Zeal to acquit themselves bravely so that in all human Appearance, and with the Divine Assistance, which had appeared so visibly for them on many other Occasions, they would have been able to have gained great Advantage by Battle or Siege, to have bettered the Affairs of the Allies, and to have facilitated the Negotiations for Peace: And the Ministers of France having

and earnestly represented to the said Robert,
 and others his Accomplices, during their secret
 negotiations, their just Apprehensions from the Bravery
 and good Disposition of the Confederate Army; he the
 said Robert, &c. being truly informed of the sure
 prospect which, by the Blessing of God, the Army of
 the Confederates then had, of gaining new Conquests
 over the Army of France, and whereby they would
 be enabled to have forced Terms of Peace,
 safe, Honourable, and Lasting: In order to disap-
 pent those comfortable Expectations of the Allies, and
 to give Success to his Secret Negotiations with the
 Ministers of France, was privy to, consenting and
 joining, together with other false and evil Coun-
 cillors, and together with them did advise and con-
 sider that an Order should be sent in her Majesty's
 name, to the Duke of Ormond in Flanders, to a-
 void engaging in any Siege, or hazarding a Battle,
 without further Orders; although nothing had then been
 concluded in the said private Negotiations for the Interest
 and Security of Great Britain, and altho' Philip
 King of Spain at that time had not consented to
 the Renunciation of his Right to the Crown of
 France. And not contenting himself with having
 gained that fatal Step, so highly advantageous
 to the Cause of France, but being wickedly de-
 termined to do all that in him lay to dissolve
 the whole Confederacy, he the said Robert, &c.
 and others, was privy to, and did consent and
 advise, that Orders should be sent to the Bishop
 of Bristol, one of her Majesty's Plenipotentiaries
 at Utrecht, to take the first solemn Oppor-
 tunity to declare to the Dutch Ministers, that her
 Majesty look'd on herself from their Conduct to
 be then under no Obligation whatsoever to them:
 and with these two Declarations giving just Alarms to all
 the

the Allies, they represented to the Bishop of *Bristol* their general Dissatisfaction, and the unexpected Consternation they were all in; that these Proceedings were the unavoidable Ruin of *Europe*; they urged Religion, Liberty, and the Faith of Treaties, to shew the Enormity of this Usage; and the States expressed their Uneasiness on no account so much, as that they could not come to the Knowledge of their own Lot. Which Representations the Bishop of *Bristol* did, at the Instance of the Allies, signify to one of her Majesty's Principal Secretaries of State; but their High Mightinesses finding that all Applications to the Ministers of *Great Britain*, and in particular to the said *Robert, &c.* were of no avail against *France*, and for the Interest of the Common Cause, thought it necessary, in a manner the most moving and respectful, to address directly to her Majesty by a Letter of the Fifth of *June*, 1711, therein expressing their great Surprise and Affliction at the two Declarations afore-mentioned; and finding it difficult to conceive how such Declarations, so prejudicial to the Common Cause, given so suddenly without their Knowledge, and undoubtedly too without the Knowledge of the other Allies, could agree and consist with the Nature of an Alliance, and with those Assurances and Engagements her Majesty had so lately made, and not knowing how to reconcile it with the great Goodness and Kindness which her Majesty had always honoured them with, and not being able to conceive how such a sudden Change could happen with respect to them, having carefully examined their own Conduct, and finding nothing therein that could have given Ground to her Majesty's Dissatisfaction; and having represented the visible

and immediate fatal Consequences of the said two
 orders, not only to the Common Interest of her
 Majesty and the States, but to the Whole Confe-
 deracy and to the Protestant Religion; they be-
 ched her Majesty, with all the Respect, and
 the Earnestness they were capable of, that she
 should not persist in the Declarations made by the
 Bishop of *Bristol*, and would be pleased to revoke
 the Orders given to the Duke of *Ormond*, and
 should authorize him to act according to Occur-
 rences, and as the Exigency of the War, and the
 advancement of the Common Cause should re-
 quire. Notwithstanding which, he the said *Robert*,
 being acquainted with the said Representations
 of the States, was not only wanting in his Duty
 to her Majesty, and to his Oath, and the great
 trust reposed in him, in not advising, as he ought
 to have done, her Sacred Majesty to have hearkned
 to the said several Instances made to her; but per-
 sisting in his desperate and destructive Measures,
 for the Advancement of the Interest of the Com-
 mon Enemy, did afterwards advise her Majesty to
 disregard and reject the same, and did counte-
 nance, encourage, advise, promote the said private,
 separate, and wicked Negotiations with *France*,
 without any Participation of the Allies, contrary
 to all her Majesty's Engagements, and to the appa-
 rent Ruin of the common Cause. By which several
 bad and perfidious Counsels, the Progress of the vi-
 cious Arms of the Confederates was stopped; and an
 opportunity lost for conquering the Enemy, the most
 favorable, in the Opinion of all the General Officers
 and the Quarier-Masters of the Allies, who were sent
 to view the French Camp, and whereby all
 the ties of Confidence between her Majesty and her
 Allies were entirely destroyed, and the French King
 made

made absolute Master of the Negotiations of Peace and the Affairs of Europe given into his Hands.

ARTICLE IX.

That to impose upon the Allies the fatal Necessity of submitting to the Terms of *France*, and in Obedience thereto to leave the whole Confederate Army at the mercy of the common Enemy, he the said Robert, &c. was privy and consenting to a secret and separate Concert with the Ministers of *France*, with the Knowledge of the Allies, for the separating the Troops in her Majesty's Pay from the Rest of the Confederate Army: for the effecting whereof, instead of preventing as far as in him lay so fatal a Step, he was not only wanting to advise against an unwarrantable a Proceeding, but did consent to advise her Majesty, that the Duke of *Ormond*, and all the Troops then in her Majesty's Pay, or such of them as would obey his Orders should separate themselves from the Army of the Confederates: having notice that the Generals of the Auxiliaries paid by her Majesty, whose Honour and Conscience would not permit them to abandon the Confederates, and leave them as a Sacrifice to *France*, but for the Sake of the common Interest of *Europe*, and according to the true End and Design of their Conventions, did refuse to withdraw with the Duke of *Ormond*, without particular Orders from their respective Masters; he the said Robert, &c. being Lord High-Treasurer of *Great Britain*, and one of her Majesty's most Honourable Privy Council, in violation of his Oath, and the Duty and Trust reposed in him, did take upon himself an Arbitrary and illegal Power, to refuse and put a Stop to the Pay and Subsidies due on account of the said foreign Troops.

no' they were intitled thereto by the Conventions
 erer into with her Sacred Majesty, and by exprefs
 ovision made by Act of Parliament for the Pay-
 nt of the same. By which fatal Separation, which
 fuant to his evil Counfels was afterwards made,
 at Numbers of the Confederate Troops, who had
 ore, on many occasions signaliz'd themselves in
 Defence of the Cause of *Europe*, soon afterwards,
 he unfortunate Action of *Denain*, fell as Sacrifices
 the Fury and Revenge of *France*; the Siege of
 ndrecy was raised, the important Towns and For-
 es of *Quesnoy*, *Bouchain*, and *Douay* were retaken
 the *French* Army; and not only the Fortune of
 War, but the Fate of *Europe* decided in favour
France.

ARTICLE X.

That in further execution of his pernicious Designs,
 compleat the Destruction of the common Cause of
 rope, and to render it impracticable for her Majesty
 resume the War against France, in conjunction with
 Allies, or to recover the Union with her Majesty's
 and faithful Allies, so necessary to the Preservation
 these Kingdoms; he the said Robert, &c. then
 and High Treasurer of Great Britain, did carry on
 concert with the Ministers of France, a private
 separate Negotiation for a General Suspension by
 and Land, between Great Britain and France; and
 that end, among others, did advise her Majesty
 send over Henry Viscount Bolinbroke, one of her
 nicipal Secretaries of States, to the Court of France,
 n Powers to settle the said Suspension. In pur-
 nce of which, a destructive Treaty of Suspension was
 e in France on the nineteenth of August, N. S.
 2, by the said Henry Viscount Bolingbroke, on the
 part

part of her said Majesty, for four Months, with the knowledge or any participation of the Allies, and before any Terms of Peace were settled with the Enemy, either for Great Britain or the Allies, which evil Counsels, the express Terms of several the aforementioned Treaties were expressly contravened and broken, the good Friends and antient Allies of her Majesty and these Kingdoms were totally deprived of the just Assistance to which they were thereby entitled, and were left exposed to the Insults of the common Enemy; and the sacred Ties of Union and Friendship between her Majesty and her Allies being cut asunder, her Majesty's Person and Government, the Safety of her Kingdoms, and the Protestant Succession to the Crown of the Realms, were left expos'd to the Enterprizes of the most formidable Enemy.

A R T I C L E X I.

That whereas the States-General of the United Provinces were, in or about the Months of September or October, in the Year of our Lord 1712, in possession of the strong and important Town and Fortress of *Tournay*: And whereas the French King had during the Course of the said private, separate, and traiterous Negotiation between him and the said King of Great Britain, &c. and others, and the Ministers of France signified his Consent to the Ministers of Great Britain, that the said Town and Fortress of *Tournay* should remain to the said States-General as part of their Barrier: And whereas her Majesty, in her Instructions of December the 23d. 1711, to her Plenipotentiaries at *Utretcht*, had expressly directed them to insist with the Plenipotentiaries of France, in the General Congress, That towards forming a sufficient

rier for the States-General, *Tournay* should remain
 their High Mightinesses; and did afterwards de-
 clare herself conformable thereunto, in her Speech to
 the Houses of Parliament, on the Sixth of *June*,
 1712; in which she communicated to them the
 terms whereon a Peace might be made. And
 whereas for several Years before, and 'till the said
 months of *September* and *October*, in the Year of
 Lord 1711, there was open War between her
 Majesty and the *French King*; and the said War
 continuing for all the said time, and afterwards, the
French King and his Subjects were Enemies to
 her Majesty: He the said *Robert*, &c. then Lord
 Treasurer of *Great Britain*; and a Subject of
 her Majesty's, not considering the Duty of his Al-
 liance, but having altogether withdrawn the cor-
 dial Love, and true and due Obedience, which eve-
 ry true and faithful Subject owed to her said Majesty,
 designing to give Aid and Succour, and to ad-
 here to the said *French King*, did in or about the
 months of *September* or *October*, 1712, during the
 War, falsely, maliciously, wickedly, and traite-
 rously aid, help, and assist, and adhere to the *French*
 King, then an Enemy to her late Majesty; and in
 violation and Performance of his said aiding, as-
 sisting, and adhering maliciously, falsely, and traite-
 rously did counsel and advise the said Enemy, in
 what manner and by what Methods the said impor-
 tant Town and Fortrefs of *Tournay*, then in the Pos-
 session of the States-General, might be gained from
 the said *French King*, contrary to the Duty of his
 Alliance, and the Laws and Statutes of this Realm.

ARTICLE XII.

Whereas her late Majesty Queen *Anne*, not on-
 ly in pursuance of the Treaties she stood engaged in

to her good Allies, and in particular to his Imperial Majesty, for the Recovery of the Monarchy of *Austria*, thereby to preserve a Balance of Power in *Europe*, but also from her Resentment against the Duke of *Anjou*, who styled himself King of *Spain*, and who, in Defence of her Majesty's Title to the Crown, acknowledged the Pretender as King of *Great Britain*; and these just Foundations her Majesty had, in vindication of the Honour of the Crown, and in justice to her People, at a vast Expence of Blood and Treasure, and on the earnest and repeated Advices of Parliament, prosecuted a vigorous War against the Duke of *Anjou*: And whereas, in the Years of our Lord 1710, 1711, and 1712, the said open, and expensive War was carried on between her late Majesty Queen Anne, and the said Duke of *Anjou*, and during all the time aforesaid the said War continued, and for all that time the said Duke of *Anjou* and the Subjects of *Spain* adhering to him, were Enemies of her late Majesty: He the said Robert, then Lord High-Treasurer of Great Britain, and one of her Majesty's Privy-Council, and a Subject of her Majesty, not considering the Duty of his Allegiance, but having withdrawn his true Obedience from her late Majesty, did at several times, in the said Years of our Lord 1710, 1711, and 1712, falsely, maliciously, wickedly, and traiterously, aid, help, assist, and adhere to the said Duke of *Anjou*, then an Enemy of her said late Majesty; and in the Execution and performance of his said aiding, helping, assisting and adhering, and in Confederacy and Combination with other wicked and evil disposed Persons, did, at several times, in the Years aforesaid, advise and counsel his Enemies of her late Majesty; and in such con-

advising, did concert with them, and did promote yielding and giving up Spain and the West-Indies, some part thereof, to the said Duke of Anjou, then Enemy with her Majesty, against the Duty of his Allegiance, and the Laws and Statutes of this Realm.

ARTICLE XIII.

That whereas the Riches, Power, and Strength of these Kingdoms depend entirely on the flourishing Condition of Trade and Navigation, and her late Majesty Queen Anne having due Regard thereto, as well as to the Expectations of her People, after the vast Expenses they had so chearfully undergone in Support of the War, did on the first Opening the Conferences for a General Peace, declare from the Throne to both Houses of Parliament, on the Seventh of December, 1711, That she would endeavour, that after a War, which had cost so much Blood and Treasure, the Nation might find their Interest in Trade and Commerce improved and enlarged by a Peace: And on the Sixth of June, 1712, when she was pleased to communicate the Terms on which a General Peace might be made, did declare, that nothing had mov'd her Majesty from steddily pursuing the true Interest of her own Kingdoms, and that the Terms of Peace obtained for her own Subjects were such, as she had Reason to expect would make her People some Amends for the great and unequal Burden which they had lain under thro' the whole Course of the War, and hoped that none of the Confederates would envy her Share in the Glory and Advantage of the Peace; and afterwards declared to both Houses of Parliament her Satisfaction in the near View she had of a Peace, since it would, in

some measure, recompense her Subjects for their
 Expence: And after the Conclusion of the Treaty
 Peace and Commerce with *France*, did declare from
 the Throne, on the Ninth of *April*, 1713, That the
 many Advantages she had obtained for her Subjects
 had occasioned much Opposition and long Delays
 the Peace; but it afforded her great Satisfaction, that
 her People will have it in their Power, by Degrees
 to repair what they had suffered during so long and
 burthensome a War. Whereupon both Houses of
 Parliament did from time to time express their
 grateful Acknowledgments to her Majesty for her
 great Care and Concern for the Welfare of her People.
 And whereas at the setting on Foot, and the Pro-
 gress of the said private, separate, and pernicious
 Negotiations between the Ministers of *Great Britain*
 and *France*, it was laid down as a Principle, on the
 part of *Great Britain*, never to be departed from
 That *France* should consent to adjust the Interests
 of *Great Britain* in the first place, that the Ministers
 of *Great Britain* might thereby be enabled to engage
 the Queen to make the Conclusion of the General
 Peace easy to *France*; and on this plausible Pretence
 it was insisted on by the Ministers of *Great Britain*
 to remit the Discussion of the particular Interests
 of the Allies to General Conferences; and throughout
 the whole Course of the said separate Negotiation,
 imaginable Concessions were not only made by the
 Ministers of *Great Britain*, for the real Advantage
 of the Interests of *France* against the Allies, but
 Measures were enter'd into and concerted between
 them, that even the Ministers of *France* could dictate
 in order to strengthen their Hands, and to enable
 them to impose the Terms of a General Peace:
 the said Robert, &c. having nothing in view, than

whole Course of the said Negotiation, wherein he wickedly and principally engaged in Concert with France, but the final Destruction of his Country; and that end the sacrificing the Commerce of Great Britain to the Aggrandisement of France, was not only wanting to his Duty to her Majesty, in not insisting on in all points, and not procuring, in the first place, the most plain and strict Securities imaginable for the Safety and Advantage of the Commerce of these Kingdoms; but to advise her late Majesty, that in the Proposition sent, by his Privity and Advice, by Mr Prior to France, also in the said private and separate Treaty, signed on the 27th of September, 1711, wherein the preliminary Demands for Great Britain more particularly were intended to be adjusted with France, the Demands for Great Britain, in point of Commerce, were not only made in loose, general, and insufficient Terms, but that the Liberty of Fishing, and Drying of Fish in Newfoundland should be expressly given up to France, the Restitution of that small part of the Island, which France had taken during the War, was therein referred to be discuss'd to General Conferences. And having by his wicked Artifices, engaged her Majesty in said private Treaty with France, without any Security for the Commerce of Great Britain, he artfully and cunningly contrive with the Ministers of France to keep in Suspence all Matters that concerned the Commerce of Great Britain, until by means of his wicked and pernicious Counsels aforementioned, France was become Master of the Negotiations, and the chief Advancer for the Commerce of Great Britain by that means being unsettled: And the Ministers of France afterwards disputing the most essential Articles which had been agreed on, and in particular that fundamental Principle of treating and being treated as Gens Amicissima, endeavouring to elude what had been agreed on in the

said private and separate Negotiation, for the supposed Advantage of Great Britain; he the said Robert, &c. under pretence of removing a Difficulty then depending by an Expedient advantageous to Great Britain, treacherously advise the ninth Article of the Treaty of Commerce with France, a Bill for the rendering whereof effectual was afterwards rejected by the House of Commons, as highly prejudicial and destructive to the Commerce of these Kingdoms: But yet for the sake of gaining that destructive Article for Great Britain as if the same had been advantageous, he the said Robert, &c. in defiance of the express provision of the Act of Parliament, as well as in contempt of the frequent and earnest Representations of the Merchants of Great Britain, and of the Commissioners for Trade and Plantations, did advise her Majesty finally to agree with France, That the Subjects of France should have the liberty of Fishing and drying of Fish in Newfoundland, and did also advise her Majesty to make a Cession to France of the Isle of Cape Breton, with liberty to fortify the same, altho' the Isle of Cape Breton was part of the antient Territories of the Crown of Great Britain; and her Majesty had declared from the Throne, that France had consented to make an absolute Cession of Nova Scotia or Acadia, whereof Cape Breton is part to her Majesty. And the said Robert, &c. intended in all Events to secure to France the Advantages relating to the Fishery of Newfoundland and to Cape Breton, did, in conjunction with the Ministers of France, advise her Majesty to consent, that the same should be made an Article in the Treaty of Peace between Great Britain and France: whereas the only Advantages in the Treaty pretended to be stipulated for Great Britain, and inserted in the Treaty of Commerce, were to depend on certain Conditions, to be made good by the Act of Parliament; and pursuant to, and by the

the said evil Counsel of him the said Robert, &c. her sacred Majesty was advised to ratify the said Article in the said Treaty of Peace and the said Treaty of Commerce. By means of which pernicious Counsels, the good Intention of her sacred Majesty, to have obtained for her People advantageous Terms of Commerce, were entirely frustrated, the Trade and Manufactures of Great Britain, as far as in him lay, rendered precarious, and at the mercy of the Enemy, and that beneficial Branch of Trade, always esteemed the great Support of the Naval Power, and the chief Nursery of the Seamen of Great Britain, yielded up to the Subjects of France: and the only Pretence for the avowed and notorious Violation of Treaties, and the carrying on the Measures of France, viz. the adjusting first the Interests of Great Britain, thro' the whole Course of the said private and separate Negotiations, terminated at last in the Sacrifice of the Commerce of Great Britain to France, without the least shadow of Advantage in Trade procured for these Kingdoms.

A R T I C L E X I V .

That he the said Robert, &c. did, in concert with other evil and false Counsellors, even without any Application from his Royal Highness the Duke of Savoy, and after the French King had in the Course of the said private and separate Negotiations, consented that the Kingdom of Sicily should remain to the House of Austria, from a Project and Design to dispose of the Kingdom of Sicily to the Duke of Savoy from the House of Austria: And to effect that his unjust, dishonourable, and pernicious Project, he did advise her Majesty to give Instructions, among other Things, to Henry Viscount Bolingbroke, then appointed her Ambassador to France, to demand in her Majesty's Name, of the

French King, the Kingdom of Sicily for his Royal Highness. And a Treaty of Peace being afterwards made between the French King, his Royal Highness, and the Duke of Anjou, wherein a Cession is made to his Royal Highness of the Kingdom of Sicily, without any Concurrence or Participation of his Imperial Majesty; be the said Robert, &c. did basely and scandalously advise her Sacred Majesty to consent to the same, by an Article inserted in the Treaty of Peace between her Majesty and the French King. And afterwards, by his Privy and Advice, her Majesty was prevailed on to assist his Royal Highness against the Emperor then in Alliance with her Majesty, with a part of her Royal Fleet at her own Expence, in order to put him in possession of the said Kingdom of Sicily. Whereby the greatest Injustice was done to his Imperial Majesty, in direct Violation of the Grand Alliance, and contrary to her Majesty's frequent Declarations from the Throne, and her plain and full Instructions to her Plenipotentiaries at Utrecht, for obtaining his just and reasonable Satisfaction; and whereby National Faith, and the Honour of the Crown, was vilely betray'd, and the Naval Power of these Kingdoms, and the Supplies granted by Parliament for reducing the Common Enemy, were perfidiously employ'd against the Great and Faithful Ally of this Kingdom.

ARTICLE XV.

That whereas the Dignity and Support of the Imperial Crown of these Realms has in all Ages greatly depended on the Wisdom and Truth of the Communications made from the Throne, especially in Parliament, as the sure and only means whereby the Kings and Queens of this Realm can receive the sincere and faithful Advice of their People in mat-

of the highest Importance, and which by the
 fundamental Laws and Constitution of this Govern-
 ment ought to be inviolably observ'd as the Sacred
 and of the Duty and Affection of Subjects to their
 sovereign. And whereas by the most antient and
 known Laws of this Kingdom it is indispensably in-
 incumbent on the Great Officers of State that surround
 the Throne, to maintain as far as in them lies the
 sacredness of the Royal Word on all occasions; it
 being most apparent that the greatest Dishonour to
 the Throne, and the greatest Danger to these King-
 doms, must inevitably ensue, whenever that Foun-
 tain of Truth by wicked Counsels shall be in any
 degree corrupted, and thereby lose its just Influence
 and necessary Authority. And whereas the Power
 of making Peace and War, one of the antient, un-
 doubted, and most important Prerogatives of the
 Crown, has been always exercis'd by the Sovereigns
 of these Realms, with the strictest Regard to the
 Honour of the Crown and the Welfare of the
 People, and for that end they have in great Wis-
 dom in all Ages taken the Advice of Parliament on
 all weighty Occasions. And whereas her late Ma-
 jesty Queen *Anne* declar'd from the Throne her gra-
 ve Intentions to communicate the Terms of Peace
 to her Parliament, for their deliberate and serious
 Advice therein, wisely foreseeing that the Safety of
 the Person and Government, of the Protestant Suc-
 cession to the Crown, which she had nearest her
 self, and of the Protestant Religion, and of the
 Liberties of *Europe*, did inevitably depend on the
 speedy Conclusion of the said Negotiations: He the
 said *Robert*, &c. then Lord High-Treasurer of
 Great Britain, having taken on himself throughout
 the said Negotiations a most Arbitrary and Unwar-
 rantable Authority, and the chief Direction and In-
 fluence

fluence in her Majesty's Councils; and most wickedly designing to prostitute the Honour of the Crown, and the Dignity of Parliaments, and not only totally to deprive her Majesty of the wholesome and necessary Advice of her Parliament in so great a Conjunction; but by misrepresenting the most essential Parts of the Negotiations of Peace, to obtain the Sanction of Parliament to his traiterous Proceedings, and thereby fatally to decieve her Majesty, her Allies, her Parliament, and her People; he the said *Robert*, &c. was not only wanting in the Discharge of that Duty to his Sovereign which became his high Station, by not advising against, and as far as in him lay in all Events by not preventing even an Intimation from the Throne to the Parliament which was not conformable to the exactest Truth and Impartiality; but taking advantage of his ready Access to her Majesty, and his exorbitant Influence in her Councils, did prepare, form, and concert, together with other false and evil Counsellors, several Speeches and Declarations to be made by her Majesty from the Throne to her Parliament, on the Subject of the said Negotiations of Peace, and did advise her Majesty to make the same to her Parliament: And particularly, by the means of his false and evil Counsels, her Majesty did, amongst other things, on the seventh of September, 1711, declare from the Throne in the following words, or to the effect following: "That notwithstanding the Arts of those who delight in War, both Place and Time are appointed for opening a Treaty of a General Peace. Our Allies, especially the States-General, whose Interest I look upon as inseparable from my own, have by their Concurrence express'd their Confidence in me. Whereas it was then notorious to all Europe, and

said *Robert*, &c. and others his Accomplices, well knew, that the principal Allies of her Majesty, and particularly the States-General, then had in the strongest and most pressing manner represented not only to her Majesty's Ministers in *Holland*, but afterwards by a Minister of their own directly to her Majesty, the Insecurity and Danger to the Common Cause, by entering into general Negotiations with *France* on the Propositions sign'd by Monsieur *Mefnager*; and also their firm Opinion of the fatal Consequences that might ensue thereon: and altho' they had still great Apprehensions concerning the Method of opening the Conferences, and the Consequences that might happen thereupon; yet being wrought on by the Menaces and other extraordinary Methods used with them by her Majesty's Ministers, and relying on the solemn Assurances and Declarations of her Majesty to support the Interest and Concern of their State, and to act in perfect Confidence and Harmony with them; they did at last, with the greatest Reluctance, consent to enter upon a General Negotiation of Peace with *France*. And in the same Speech her Majesty was prevail'd on by the evil Counsels of him the said *Robert*, &c. and others, to declare in the words, or to the effect following: "That the Princes and States which have been engag'd with us in this War, being by Treaties entitl'd to have their several Interests secur'd at a Peace, I will not only do my uttermost to procure every one of them all reasonable Satisfaction, but I shall also unite with them in the strictest Engagements for continuing the Alliance, in order to render the General Peace secure and lasting." And in her Message of the seventeenth of *January* following, her Majesty again expresses the

the Care she intended to take of all her Allies, and the strict Union in which she propos'd to join with them. Whereas by the evil Influence of him the said *Robert*, &c. her Majesty was not only induced to enter into a private Negotiation with *France*, exclusive of her Allies; but the same was in like manner carry'd on by him the said *Robert*, &c. and others. And the several Interests which the Allies were intitled to by their Treaties, were not only not secured to them by the Peace, nor any reasonable Satisfaction given to them; but the main Interests of her principal Allies, especially of his Imperial Majesty, were by the wicked Practices of him the said *Robert*, &c. and others, given up to *France*; and no Engagements were obtain'd for continuing the Alliance, in order to render the general Peace secure and lasting. And her Majesty having on many former Occasions express'd her Resolutions never to make Peace with *France* and *Spain*, so long as *Spain* and the *West-Indies* remain'd in the House of *Bourbon*; she was prevail'd upon by the Advice of him the said *Robert*, &c. and others, to declare her self, in answer to an Address of the House of Peers, the eleventh of *December*, 1711, to the effect following; viz. *I should be sorry any one could think I would not do my utmost to recover Spain and the Indies from the House of Bourbon.* Whereas it is most manifest, that the leaving the Kingdom of *Spain* and the *Indies* in the House of *Bourbon* was the Foundation of the private and separate Treaty between *Great Britain* and *France*, which had been before that time signed even with her Majesty's Consent; and the same Fundamental Resolution was immutably observed between them to the Conclusion of the Peace. And her Majesty having frequently declared from the Throne, that her Resolutions in entering into the

said

said Negotiations were to obtain a general, good,
 and lasting Peace; and the Plenipotentiaries at *U-*
trecht being instructed to treat with *France*, confor-
 mably to that end, he the said *Robert*, &c. in or-
 der to remove the just Suspicions which had been
 conceived of his private and separate Negotiations
 with *France*, did advise her Majesty to make this
 further Declaration in her said Message of the Seven-
 teenth Day of *January*, That the World will now
 see how groundless those Reports are which have
 been spread abroad by Men of evil Intentions to serve
 the worst Designs; as if a separate Peace had been
 treated, for which there has not been the least colour
 given: whereas a private and separate Negotiation
 had been carried on for Five Months together be-
 tween *Great Britain* and *France*; and during that
 time private Propositions had been sent from *England*,
 and a private Treaty with a Minister of *France*
 signed, even by her Majesty's Privy, exclusive of
 all the Allies, before the said Declaration made by
 her Majesty. And private and separate Measures
 were thenceforth carried on by the said *Robert*, &c.
 and his Accomplices, on behalf of her Majesty,
 with the Ministers of *France*, even to the Conclusion
 of the Peace with *France*. Her Majesty was further
 prevailed on by the wicked Advice of him the
 said *Robert*, &c. in her Speech of *June* the Sixth,
 1712, to declare, That to prevent the Union of
 the Two Crowns, *she would not be content with what*
is Speculative, but insisted upon something Solid: And
 in the same Speech to the Effect following, *vide-*
et, The Nature of the Proposal for a Renunciation
 such, that it executes it self, and *France* and *Spain*
 thereby more effectually divided than ever:
 whereas the Ministers of *France* had before that time
 assured the Ministers of her Majesty, That to ac-
 cept

cept of the Expedient proposed on her Majesty's behalf, would be to build on a sandy Foundation; and that the Renunciation would be Null and Void by the Fundamental Laws of *France*; and that they would deceive themselves, who accepted it as an Expedient to prevent the Union of the Two Crowns. And not only in the particulars before-mentioned, but in many others contained in the said several Speeches and Messages made and sent to her Parliament, even while the said Negotiations of Peace with *France* were depending, the most essential Points relating to Peace and Commerce, and which concerned the Interest, as well of the Allies as of Great Britain, were grossly misrepresented. By all which wicked, treacherous, and unexampled evil Counsels, by the said Robert, &c. did most basely, ungratefully, and scandalously abuse the Favour of his Royal Mistress, and by means of Authority did mis-lead her Parliament into groundless and fatal Resolutions; and thereby not only prevented the just Advice of the Parliament to her Majesty in that critical Juncture, but obtained the Approbation of Parliament to her Majesty to his mysterious and dangerous Practices; and did not only deprive her Majesty of the Confidence and Affection of her Allies, but exposed her Majesty and her People to the Contempt of the Common Enemy.

ARTICLE XVI.

That whereas the said Robert, &c. having on several Occasions used his utmost Endeavours to subvert the Ancient Established Constitution of Parliaments, the great and only Security of the Prerogative of the Crown, and of the Rights, Liberties, and Properties of the People, and being most wickedly determined at one fatal Blow as far as in him lay to destroy

Freedom and Independency of the House of Lords, the great Ornament and nearest Support of the Imperial Crown of these Realms, and falsely intending to disguise his mischievous Purposes under a pretended Zeal for the Prerogative of the Crown; he the said Robert &c. on or about the Months of December or January, 1711, whilst the House of Lords were under an Adjournment, and had reason to expect that on their next Meeting Matters of the highest Importance would be communicated to them from the Throne, they having some few Days before given their humble Opinion and Advice to her Majesty, That no Peace could be safe or Honourable to Great Britain or Europe, if Spain and the West-Indies were to be allotted to any Branch of the House of Bourbon; being then Lord High Treasurer of Great Britain, and one of her Majesty's Privy Council, and assuming to himself an arbitrary Direction and Controul in her Majesty's Councils, contrary to his Duty and his Oath, and in Violation of the great Trust reposed in him, and with an immediate Purpose to render ineffectual the many earnest Representations of her Majesty's Allies against the said Negotiations of Peace, as well as to prevent the good Effects of the said Advice of the House of Lords; and in order to obtain such further Resolutions of that House of Parliament on the important Subject of the Negotiations of Peace, as might shelter and promote his secret and unwarrantable Proceedings, together with other false and evil Counsellors, did advise her Majesty to make and create Twelve Peers of this Realm, and Lords of Parliament; and pursuant to his destructive Counsels, Letters Patents did forthwith pass, and Writs issued, whereby Twelve Peers were made and created; and did likewise advise her Majesty immediately to call and summon them to Parliament; which being done accordingly,

accordingly, they took their Seats in the House of Lords on or about the Second of January, 1711, to which Day the House then stood ajourned. Whereby the said Robert, &c. did most highly abuse the Influence he then had with her Majesty, and prevailed on her to exercise in the most unprecedented and dangerous Manner that valuable and undoubted Prerogative, which the Wisdom of the Laws and Constitution of this Kingdom hath entrusted with the Crown for the rewarding signal Virtue and distinguish'd Merit. By which desperate Advice he did not only, as far as in him lay, deprive her Majesty of the Continuance of those seasonable and wholesome Counsels in that critical Juncture, but wickedly perverted the true and only End of that great and useful Prerogative, to the Dishonour of the Crown, and the irreparable Mischief to the Constitution of Parliaments. *All which Crimes and Misdemeanours were committed and done by him the said Earl against our late Sovereign Lady the Queen, her Crown and Dignity, the Peace and Interest of this Kingdom, and in Breach of the several Trusts reposed in him the said Earl, and he the said Earl, &c. was Lord High Treasurer of Great Britain, and one of her Majesty's Privy Council during the time that all and every the Crimes before set forth were done and committed. For which Matters and Things, the Knights, Citizens, and Burgesses of the House of Commons in Parliament assembled do, in the Name of themselves and of all the Commons of Great Britain, impeach the said Robert, &c. of High Treason, and other High Crimes and Misdemeanours in the said Articles contained. And the said Commons by Protestation saving to themselves the Liberty of exhibiting at any time hereafter any other Accusations or Impeachments against the said Earl, and also of replying to the Answers which the said Earl*

Robert, &c. shall make to the Premises, or any of them, or any Impeachment or Accusation that shall be by them exhibited, according to the Course and Proceedings of Parliament, do pray that the said Robert, &c. be put to answer all and every the Premises; and that such Proceedings, Examinations, Tryals and Judgments may be upon them, and every of them had and used, as shall be agreeable to Law and Justice. And they do further pray and demand, That the said Robert, &c. may be sequestered from Parliament, and forthwith committed to safe Custody.

Further ARTICLES of Impeachment of
High Crimes and Misdemeanors, against
Robert, &c.

ARTICLE I.

THAT whereas, in or about the Month of January, in the Year 1710-11, a dangerous and destructive Expedition had been projected and undertaken on Foot, under pretence of making a Conquest of the Possessions of the French King in North America, but with a real Design to promote his Interests, by weakening the Confederate Army in Canada, and Dissipating the Naval Force of this Kingdom, as well as for the sake of the private Interests and corrupt Gain of the Promoters of the said Expedition, he the said Robert, &c. being then one of her late Majesty's Privy Council, and one of the Commissioners of her Majesty's Treasury, was not only wanting in his Duty to her late Majesty, but willfully and industriously absenting from the Meetings of other Persons, then in high Trust under her Majesty, wherein the said Expedition was con-

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certed

certed, and by not advising her Majesty against
 and doing what in him lay, to have prevented
 the putting the same in Execution, but did, con-
 trary to his Oath, and the high Trust then reposed
 in him, advise her Majesty to consent to the making
 an Expedition for the conquering *Canada* and the
 City of *Quebeck* on the River of St. *Lawrence* in
North America; and in Execution of his said
 Councils, he did further advise her Majesty to give
 Orders for detaching several Battalions of the Forces
 then in the Service of her Majesty, in conjunction
 with her Allies in *Flanders*, and to send the same
 with a large Squadron of Men of War on the said
 Enterprize; Altho' the said *Robert, &c.* well knew
 that the said Project or Expedition having been fre-
 quently deliberated on and maturely considered,
 short time before, in a Committee of Council, was
 then laid aside as dangerous and impracticable.
 And a Demand being made at the Treasury, on
 or about the Months of *May* or *June*, 1711, for the
 the Sum of 28000 *l.* or thereabouts, on pretence
 Arms and Merchandize said to be sent on the said
 Expedition to *Canada*, he the said *Robert, &c.*
 being then Lord High Treasurer of Great Britain
 and one of her Majesty's Privy Council, tho' he
 well knew, or had Reason to suspect, that the said
 was an unjust and exorbitant Demand, and a great
 Abuse on her Majesty and the Public, and such
 ought not to have been complied with, was
 only wanting in his Duty to her Majesty, in not
 giving his humble Advice against the said Demand
 or at least in not representing to her Majesty the
 Grounds of such his Suspicion, but did, contrary
 to his Oath and his Duty, advise her Majesty that
 the said Sums should be issued and paid, and did ac-
 cordingly counter sign a Warrant to the Paymaster of her
 Majesty's Forces.

Majesty's Forces for the Payment of the same, pursuant to which, the same was issued and received. And in further Violation of his Oath, his Duty and Trust, and with the most corrupt Design to prevent the Justice due to her Majesty and the Nation, he the said Robert, &c. being then Lord High Treasurer of Great Britain, and exercising a most unexampled arbitrary Power, not only in her Majesty's private Councils, but extending his evil Influences to the great Council of the Nation; after the said Expedition had proved unsuccessful, and it had been discovered to the said Robert, &c. that the Nation had been cheated of above 20000 l. on that Account, did ungratefully and corruptly employ his wicked Arts, the Credit which he had gained by his many false crafty Insinuations and Practices, to keep the House of Commons from examining that Affair. And in or about the Month of August, 1714, in a Letter or Memorial, under his Hand, to her late Majesty, he presume, not only to insinuate the ill Opinion, wherein pretended, always to have had of the Expedition, but did declare the Suspicions he had of the great Injury and Abuse done to her Majesty and the Public, in the Demand of the said 20000 l. even at the Time when the same was paid, and that the Public had been cheated of the said 20000 l. on that Account; and in the said Memorial did presume further to declare to her Majesty, That he was forced to use all his Skill and Industry to keep the House of Commons from examining that Affair the last Parliament; Thereby vainly, but most successfully, recommending himself to the Countenance of her Majesty's Favours, by the Success of his most profligate Practices. By all which unparallel'd Corruptions, and most wicked and malicious Councils and Practices of him the said Robert, the good and faithful Allies of her Majesty

were deprived of the Aid of her Majesty's Troops, which they were entituled by their Conventions, and the Confederate Army in *Flanders* was greatly diminish'd, to the apparent Advantage of the Common Enemy : *The Public Money*, granted by Parliament for reducing the Power of France, and which was expressly appropriated for other special Services, was arbitrarily and illegally misapplied and embroiled, and an heavy Debt incurr'd on the Nation, notwithstanding the Parliament, but even in contempt and defiance of a Representation made by the House of Commons to the Throne, even when the said Expedition was concerting; and whereby *ab- big* Injustice was done, in suppressing an Enquiry, so to her Majesty and her People, and a lasting Reproach and Scandal brought on that House of Commons, of which he boasts, as having been wrought on by his corrupt Influence not to examine into so high and so scandalous an Abuse.

ARTICLE II.

That the said Robert, &c. not contented with high Employments, and Places of Honour and bestowed on him by her late Majesty, nor with the and excessive Gains by him made by the Incomes and profits of the said Employments, on or about the 1st of October 1711, whilst the Nation was engaged in a most expensive War against France and Spain, preserving the Liberties of Europe, and greatly exhausted with the Supplies and Taxes for carrying on the same, and was under such heavy Debts, were impossible to be satisfy'd, without the illegality or laying grievous Taxes upon the Commons of Great Britain : Contrary to his Oath and Trust, and making a most dishonourable and

Use of the ready Access he had to her late Majesty,
 and prevail on and advise her Majesty to Sign a War-
 rant to himself, being then Lord High Treasurer of
 Great Britain, for the Issuing and Payment of the Sum
 of 13000 l. to John Drummond, Esq; or his Assigns,
 for such Special Services relating to the War, as her
 Majesty had directed: And the said Robert, &c.
 on or about the 24th Day of November following,
 in pursuance of the said Warrant under her Majesty's
 Sign Manual, did sign a Warrant for the Payment
 of the said 13000 l. for such Special Services of the
 War, as her Majesty had directed; altho' no Spe-
 cial Services had been, or were at any time after-
 wards directed by her Majesty, to which the said
 Monies were to be applied. And the said Robert,
 having privately desired Leave of the said
 Drummond to strike some Tin-Tallies in his the
 said Drummond's Name, he did pursuant there-
 to direct that Orders amounting to the Sum
 of 13000 l. should be charged in the Register of the
 Exchequer on the Monies arising by Sale of Tin,
 in the Name of the said John Drummond; and tho'
 the same were accordingly struck in the Name of the
 said John Drummond, in or about the Month of
 November 1711, they were not delivered out to
 the said Drummond, but were kept in the Trea-
 sury Chamber, or elsewhere in the Power or Cus-
 tody of the said Earl, 'till about the End of
 January following; when the said Drummond having
 petitioned, as the said Robert, &c. well knew, to go
 to Holland, at the Desire and Request of the said
 Earl, he indorsed his Name on the said Orders,
 and the same were left, by his Privy, Direction,
 and Consent in the Hands of Mr John Taylour, a
 Clerk of the Treasury; and the said Robert, &c;
 afterwards got Possession of the said Or-
 ders

ders, did in or about the Month of *June*, 1712 send an Order in Writing to the said Mr. *Taylor* to deliver the said Tallies to a Servant of the said Earl, which was done accordingly, the said Indorsements not being at that time filled up: And the said *Robert, &c.* having by these corrupt and scandalous Methods got the said Tallies and Orders into his own Hands, did afterwards fill up Assignments of the said Orders for 12000 part of the said 13000 *l.* to himself, and the remaining part to such other Persons as he thought fit, and did afterwards in or about the Months of *August*, *October*, and *November*, 1713, at several Times dispose of the said Orders and Tallies to his own private Use and Advantage. And to cover the said scandalous Embezzlements, he the said *Robert, &c.* did afterwards, as he pretends, advise and prevail on her Majesty, on or about the 14th *December*, 1713, to Sign a Warrant prepared by himself, wherein after the *Recitals of his own great faithful, and acceptable Services, which had tended to the Quiet, Safety, and Prosperity of her Majesty, and her Realms, tho' accompanied with great Difficulties on himself, and Hazards to him and his Family, and that her Majesty was resolved to bestow upon him a Sum of ready Money:* But the said Earl representing to her Majesty, that the Arrears then due to her Servants and Tradesmen were very great, and pressing, her Majesty did therefore agree and determine that he should have, to his own Use, the said several Sums amounting to 13000 *l.* comprized in the said Orders afore said, it was directed that the said *Drummond* should assign the said Orders, and the whole Right and Benefit thereof to the said Earl and his Assigns; altho' the said Earl had privately and clandestinely procured from the said *Drummond*

Assignment of the said Orders near two Years before the said Warrant, and had fraudulently and corruptly disposed and converted them to his own Use, without her Majesty's Privy or Consent, some time before her Majesty was prevailed on to Sign the said Warrant. And though the last mentioned Warrant, if any such there be, was not communicated to the said *Drummond* by the said Earl, during her Majesty's Life, nor was the same Countersigned nor entred in the Treasury, yet he the said *Robert*, &c. even after his said Corruption had been discovered in Parliament, did presume, without the Privy of the said *Drummond*, to send the said Warrant to the Commissioners of his Majesty's Treasury, desiring that the same might then have been entered in the Treasury; but the same was with great Honour and Justice refused to be so entered. *By which most vile and scandalous Corruption, he the said Robert, &c. was guilty of the most notorious Breach of his Oath and Trust, as Lord High Treasurer of Great Britain, of the biggest abuse of her Majesty's Goodness, and embezzlement of her Treasure, and of the greatest Injustice and Oppression of other her Majesty's Subjects.*

A R T I C L E I I I .

That whereas by the established and known Laws of this Kingdom, the Allowances or Appointments for the Maintenance and Support of the Ambassadors, Envoys, Plenipotentiaries, and other Publick Ministers of the Crown in Foreign Courts, ought to be ascertained in due Form of Law, as well in Honour as in Justice to the Imperial Crown of these Realms: and whereas the said *Robert, &c.* in or about the Month of July or August, 1712, sent *Matthew Prior, Esq;* an Instrument and Creature of his own,

into *France*, for the carrying on his separate and dangerous Negotiations; and did afterwards in the Month of *November*, 1712, by his evil Counsels prevail on her late Majesty, without the Privity of or any Communication with her Allies, to send the said *Matthew Prior* as her Majesty's Plenipotentiary to the *French King*, with Instructions to Treat and Conclude Matters of the highest Importance, relating to the general Negotiations of Peace: But the same was a treacherous and wicked Contrivance of him the said *Robert, &c.* for the more effectually carrying on and promoting his private, separate, and dangerous Practices with the Ministers of *France* and the Enemies of her Majesty and her Kingdoms; he the said *Robert, &c.* not regarding his Oath, or his high Trust; or the Laws of the Kingdom, did most corruptly and scandalously combine with the said *Matthew Prior* for the defrauding her Majesty of very great Sums, under the Colour of his said Employments in *France*; and to that end the said Earl did contrive that the said *Prior* should be sent to *France*, with the Character aforesaid, but without any settled Appointments or Allowances: But in the stead and lieu thereof, he the said *Robert, &c.* did give the said *Matthew Prior*, an unlimited Credit, and did promise to answer and pay such Bills as the said *Prior* should draw on him during his Residence in *France*; Pursuant to which Contrivance and corrupt Agreement, he the said *Matthew Prior* did between the 27th of *August*, in the Year 1712, New Style and the tenth of *July* 1714, or thereabouts, at several times draw Bills of Exchange, to the amount of Twelve thousand three hundred and sixty Pounds or thereabouts, on him the said *Robert, &c.* which he being then Lord High Treasurer of Great Britain, did advise and prevail upon her Majesty

Sign Warrants for the Payment of, and did Counter-
 sign the same, altho' the said *Prior* was no way
 intitled to any such Allowances by reason of his
 said Employment, and the same greatly exceeded
 the Allowance even of an Ambassador of the Crown
 of Great Britain. And the said *Robert*, &c. did, in
 the Years 1712, 1713, and 1714, without any Co-
 lour of Authority, but for the further promoting his
 corrupt and wicked Purposes, prevail on and advise
 her Majesty to sign Warrants, which were countersign'd
 by himself, for the Payment of the Sum of five
 thousand five hundred and sixty Pounds, or thereabouts,
 to the Use of *Thomas Harley, Esq;* a near Relation
 and Emissary of him the said *Robert*, &c. out of the
 Monies appropriated to the Use of her Majesty's
 Civil List: And did in like manner, at several times in
 the Years aforesaid, most illegally, fraudulently, and
 corruptly Issue, or Direct, or Advise the Direction and
 Payment of other large Sums of Money, to other Persons
 out of her Majesty's Treasury; By which most illegal
 and scandalous Management, be the said *Robert*, &c.
 has introduced a Practice highly prejudicial to, and ut-
 terly inconsistent with the Constitution of this Kingdom,
 and of the most pernicious Consequence, by opening a
 way for the most dangerous Corruptions; and was not
 only guilty of a notorious Breach of his Oath, but entred
 into the most base and scandalous Combination with the
 persons abovementioned, and others, under Pretence and
 colour of promoting her Majesty's Service, to defraud
 her Majesty of the Publick Money, which he was in-
 trusted with the Management of for the Support of the
 Honour and Dignity of the Crown.

ARTICLE IV.

That whereas the Revenues arising to the Crown
 from the Hereditary Excise and Post-Office, or
 some

some Parts thereof, were, by virtue of Letters Patents of the late King *James* the Second charged with and made liable to certain Annuities or Yearly Sums, in Trust for, or to the Use of *Mary*, the Consort of the said King *James* the Second, but the said Revenues were afterwards, by several Acts of Parliament, granted and settled for the Support of the Royal Household, and of the Honour and Dignity of the Crown; or for other public Uses, without any saving or exception of the said Letters Patents. And whereas by an Act made in the Twelfth Year of her late Majesty's Reign, the Sum of 500000 *l.* was granted to her late Majesty for the Discharge of divers Arrears of Salaries, Diet-Monies, and other Allowances, and sundry Debts for Pre-emptions, Provisions and other Causes, which had been then incurred and grown due to her late Majesty's Servants, Tradesmen and others, and were occasioned by several extraordinary Expences since the Act for the better Support of her Majesty's Household, and of the Honour and Dignity of the Crown. And the said Sum of 500000 *l.* was expressly appropriated to the Uses aforementioned, in Aid of the said Revenues or Branches which were appointed for the Support of her Majesty's Household, and the Honour and Dignity of the Crown. And whereas by an Act made in the 13th and 14th Years of his late Majesty King *William* the Third, it was Enacted, That for preventing Traiterous Correspondence between his Majesty's Subjects and the Pretended Prince of *Wales*, or his Adherents, That if any of the Subjects of the Crown of *England*, from and after the first Day of *March*, 1701, should within this Realm or without, hold, entertain, or keep any Intelligence or Correspondence in Person, or by Letters, Messages, or otherwise, with

the said Pretended Prince of *Wales*, or with any Person or Persons employed by him, knowing such Persons to be so employed, or should by Bill of Exchange, or otherwise, remit or pay any Sum or Sums of Money for the Use or Service of the said pretended Prince of *Wales*, knowing such Money to be for such Use or Service, such Person so offending being lawfully convicted, should be taken, deemed, and adjudged to be guilty of High Treason, and shall suffer and forfeit, as in Cases of High Treason. He the said *Robert, &c.* having by the Means of the said *Matthew Prior*, held a private and unlawful Correspondence with the said Consort of the late King *James the Second*, then residing in *France*, and being determined secretly to promote, as far as in him lay, the Interest of the Pretender, but yet contriving to avoid the said Penalty of High Treason, and the said Consort of the late Majesty King *James the Second*, having empowered *Abbot Gaultier* (a Popish Priest, and busy Emissary between *Great Britain* and *France*, during the said private and separate Negotiations of Peace, and who was particularly entrusted as the common Agent between the Ministers of *Great Britain* and *France*, in transacting the most secret Affairs relating to the Pretender) to concert with the said *Robert, &c.* the settling the Payment and Remittance of a very great Yearly Sum out of her Majesty's Treasure into *France*, under colour and pretence of the said Letters Patents; and the said *Robert, &c.* having held frequent clandestine Conferences with the said *Abbot Gaultier*, on the Subject aforesaid, and having, by his evil Counsels sacrificed to *France* the common Interests of *Europe*; and being resolved that the first Fruits of the Peace with *France* should be an Offering made, by his
immediate

immediate Procurement, to the nearest and most
 avowed Adherent to the Pretender, though at
 the great Expence of the Honour and Safety of
 her Majesty and her People, did, soon after the Con-
 clusion of the Peace with *France*, agree and under-
 take to procure the Payment of the Yearly Sum of
 Forty seven thousand Pounds and upwards, to or to
 the Use of the said Consort, during her Life; and in
 execution of his said Purpose, did afterwards, on
 or about the 23^d of *December*, 1713, being then Lord
 High Treasurer of *Great Britain*, and of her Majesty's
 Privy Council, advise her late Majesty to Sign a
 Warrant to himself, in the Words or to the Effect
 following, viz. "*Anne R.* Whereas our late Royal
 " Father King *James* the Second, by Letters Patents
 " under his Great Seal, bearing Date on or about
 " the 28th Day of *August*, 1685. did Grant
 " unto *Lawrence* Earl of *Rochester*, *Henry* Earl of
 " *Peterborough*, *Sidney* Lord *Godolphin*, *Robert* *Wor-*
 " *den*, Esq; and Sir *Edward* *Herbert*, Kt. (who are
 " all since deceas'd) divers Annuities or Yearly Sums,
 " amounting to Thirty seven thousand three hundred
 " and twenty eight Pounds, Thirteen Shillings,
 " and Seven Pence to hold to them and their Heirs,
 " during the Life of his then Royal Consort *Mary*,
 " now Queen Dowager, in Trust for her; and by
 " other Letters Patents, bearing date on or about
 " 3^d of *December*, 1686, did also Grant unto the
 " said Queen a farther Pension or Yearly Sum of
 " Ten Thousand Pounds to hold during her natu-
 " ral Life, all which were made payable in such
 " manner as in the said several Letters Patents is more
 " fully exprest. Our Will and Pleasure now is,
 " and we do hereby Direct, Authorize and
 " Command, that you cause Payment to be
 " made to the Heirs of such of the said Trustees

" as was the longest Liver of them, of so much as
 " since the 25th Day of *March* last, 1713, is in-
 " curred or grown due on the said Annuities or Year-
 " ly Sums, amounting to Thirry seven thousand
 " three hundred and twenty eight Pounds, Thirteen
 " Shillings and Seven Pence, and to the said Queen
 " Dowager or her Assigns, of so much as since the
 " said 25th Day of *March* last, 1713, is incurred or
 " grown due on the said Annuity of Ten Thou-
 " sand Pounds, according to the purport of the seve-
 " ral Grants, or Letters Patents above recited, as
 " also of what shall hereafter become due and pay-
 " able upon the said several Annuities Quarterly,
 " during the Life of the said Queen Dowager; and
 " for so doing, this shall be your Warrant. Given
 " at our Court at *Windsor-Castle*, the Twenty third
 " Day of *December*, in the Twelfth Year of our
 " Reign." And did, afterwards, on or about the
 Twenty fourth of *December* following, Sign a War-
 rant to the Auditor of the Receipt of her Majesty's
 Exchequer, requiring him to make and pass Deben-
 tures for paying to such Person or Persons as is, are,
 or shall be authoriz'd to receive the same, the Sum
 of Nine thousand three hundred thirty two Pounds,
 Three Shillings and Four Pence Three Farthings, for
 one Quarter, incurred upon the said several Yearly
 Sums therein mentioned, from *Lady-day* One thou-
 sand seven hundred and thirteen, to *Midsummer* fol-
 lowing, and appointed the same to be satisfied out of
 the Sum of Five Hundred Thousand Pounds, appro-
 priated by an Act passed the then last Session of Par-
 liament, for or towards Payment of such Debts and
 Arrears as were therein mentioned. And another
 Warrant to the said Auditor to make and pass De-
 bentures for paying to the said Queen, or to her
 Treasurer or Receiver, the Sum of 2500 *l.* for one
 Quarter,

Quarter, incurr'd on the said Pension of 10000*l.* per Ann. from *Lady-Day*, 1713, to *Midsummer* then last past, and appointed the same to be satisfied out of the Sum of 500000*l.* appropriated by an Act passed the then last Session of Parliament, for or towards payment of such Debts and Arrears as were therein mentioned. And the said *Robert, &c.* on or about the Twentieth of *July*, 1714, being then Lord High Treasurer of *Great Britain*, and of her Majesty's Privy Council, having corruptly and deceitfully, in further Violation of his Oath, and his high Trust, advised her late Majesty to Sign a Warrant, directing the Payment of One Thousand Pound Sterling to *Daniel Arbur, Esq;* for Monies expended by him for her Majesty's special Service, and the same being accordingly issued and received by him the said *Arbur* out of her Majesty's Treasure, he the said *Robert, &c.* being then Lord High Treasurer of *Great Britain*, did give private direction to the said *Arbur*, to pay the said Sum of One Thousand Pounds to the said Abbot *Gaultier*, or to his Use, pursuant to which Direction the said *Arbur* did pay or cause to be paid, the said Sum of One Thousand Pounds to the said Abbot *Gaultier*, or to his Use; whereby the said *Robert, &c.* did most wickedly betray the Honour of her late Majesty, and the Imperial Crown of these Realms, in advising her, under Colour of the said Letters Patents, and without the Advice of her Council or her Parliament to direct the issuing of the Revenue, provided by Parliament for the Support of the Honour and Dignity of the Crown, to the Use and Benefit of the open and avowed Adherent of the Pretender; and did not only defraud her Majesty of the said Sum of One Thousand Pounds, but did most arbitrarily, illegally, and corruptly advise the Embezzlement and Misap-
plication

plication of so much of the said Sum of Five Hundred Thousand Pounds, in Contempt and Defiance of the express Appropriation of an Act of Parliament.

ARTICLE V.

That whereas by the antient and undoubted Laws of this Kingdom, no Person being a natural born Subject of this Realm, or within any of the Dominions thereunto belonging, and having committed and being under the Guilt of High Treason, ought to be received within this Kingdom, as a Publick Minister, or with any Character from any foreign Prince, State, or Potentate. And whereas sometime in the Year 1713, one Patrick Lilesh, stiling himself, and commonly known by the Name of Sir Patrick Lawless, an Irish Papist (who had served with the late King James the Second, in the War in Ireland, against his late Majesty King William the Third, of ever glorious Memory, had followed the said King James into France, and continued in the most open and avowed Manner in his Interests and Service, and in Rebellion against his said Majesty King William, and had bore high Commission against, and had been in open Arms against her late Majesty Queen Anne, in the late War in Spain) did come into this Kingdom, and pretended to have and did take on himself the Character of a Minister sent from King Philip of Spain, to her late Majesty, to treat of Matters of the greatest Importance to the Honour and Safety of her Majesty and her Kingdoms; and having given notice of the same to Robert, Esq. then Lord High Treasurer of Great Britain, and of her Majesty's Privy Council, and who then assumed to himself the Supreme Direction in her Majesty's Councils; he the said Robert, Esq. was not only wanting in his Duty to her Majesty, in not advising her Majesty against receiving

receiving and admitting the said Lilesh alias Lawless in the Quality aforesaid, but did, together with other false and evil Counsellors, advise her Majesty to receive and admit him as a Minister from his said Catholic Majesty; and the said Earl did presume frequently to Meet, Confer and Negotiate the most important Affairs of the Nation with the said Lilesh alias Lawless in the Quality aforesaid. And the better to conceal his said illegal and dangerous Measures from her said Majesty, he the said Robert; &c. was privy to, consenting, and advising that the said Lilesh, alias Lawless, should be introduced to her said Majesty, and should be received and treated by her Ministers, under the false and disguised Name of Don Carlo Morici. And the House of Lords some time in the Month of April, 1714, having notice of the said dangerous Attempt of the said Lilesh alias Lawless on or about the Ninth of the said Month, made an humble Address to her Majesty, That she would be graciously pleased to issue Her Royal Proclamation, Commanding all proper Officers and Magistrates to make diligent search for, and to apprehend all Popish Priests, and to put the Laws in execution against them; And likewise to enquire after, and apprehend all such Persons as have served in Arms against her Majesty, or their late Majesty King William and Queen Mary, and who were then within the Kingdom, contrary to Law, to the End that they might be brought to Justice. To which Her Majesty was graciously pleased to return an Answer to the Effect following, viz. That She would give Orders pursuant thereto; and a Proclamation did accordingly issue. And on the Ninth Day of April, the House of Lords (having under their Consideration what further Security could be provided for strengthening the Protestant Succession in the

House

(House of Hanover) came to the following Resolution,
 z. " That no Person, being a Natural born Sub-
 ject of *Great Britain*, or within any of the Do-
 minions thereunto belonging, and who hav-
 ing traiterously served against Her Majesty, ought
 to be received as a Publick Minister, or with any
 Character within this Kingdom : " Notwithstand-
 ing which, he the said *Robert*, &c. having no re-
 gard to the Safety of her Majesty's Person, or to the
 security of the Protestant Succession ; and setting
 himself in utter Defiance not only of the said Ad-
 vice and Resolution to the House of Lords, but
 of her Majesty's Assurances of that House of Par-
 liament, and of her Royal Authority and Command,
 of her Proclamation under the Great Seal : Instead
 of doing what in him lay to have apprehended and
 brought to Justice, or causing the said *Lilesh* alias *Lawless* to
 be brought to Justice, did afterwards, on or about
 the Fifteenth Day of *March*, 1714, most wickedly
 and treacherously advise her Majesty to Sign a War-
 rant, directing the Payment of One Thousand
 Pounds Sterling to *Daniel Arthur*, Esq; for special
 services, which being accordingly issued and received
 by the said *Arthur*, he the said Earl did privately
 and corruptly direct the said *Arthur* to pay the same,
 and accordingly the said One Thousand Pounds was
 paid to the Use of the said *Lilesh* alias *Lawless* :
 And the said *Robert*, &c. did at other Times, in
 a seditious and scandalous manner, direct the Pay-
 ment of other considerable Sums of Money out of
 her Majesty's Treasure, to the said *Lilesh* alias *Law-*
less, which were accordingly paid to him ; altho' it
 is notorious, that the said *Lilesh* alias *Lawless*, had
 not only traiterously serv'd in Arms against her Ma-
 jesty, but had been the Minister or Agent of the
 Pretender, at the Court of *Madrid* ; and was under

strong Suspicions of being sent into *England*, the under the Pretences aforesaid, secretly to promote the Interest of the Pretender in these Kingdoms. By all which Corrupt and Evil Counsels, he the said *Robert*, &c. did most basely and ungratefully expose the Person of her Sacred Majesty, did what in him lay to enervate and render ineffectual the Advice of Parliament, and her Majesty's most solemn Declarations, in a matter of the nearest Concern to her Majesty and Kingdoms, and by countenancing in the most Corrupt and Scandalous manner, the secret Emissaries of the Pretender, did greatly encourage his open Adherents, to the apparent Danger of the Protestant Succession to the Imperial Crown of these Realms.

ARTICLE VI.

That whereas Her late Majesty Queen *Anne*, after several unsuccessful Attempts in Conjunction with her Allies, to Establish his present Imperial Majesty on the Throne of *Spain*, being inform'd, that the People of *Catalonia* were inclined to cast off the Yoke impos'd upon them by the *French*, and to return to the Obedience of the House of *Austria*; and Her Majesty being desirous to maintain and improve that good Disposition in them, and to induce them to put the same speedily in Execution, did send *Mitford Crow*, Esq; to them, with necessary Powers and Instructions to carry on so great a Work, for the Advantage of Her Service, and the good of the Common Cause; and to that End, to Treat with the *Catalans*, or any other People of *Spain*, about their coming into the Interest of King *Charles* the Third, his present Imperial Majesty, and joining with her Majesty and her Allies against the Com-

on Enemy ; And her Majesty, after her gracious
 assurances to assist them with Men and Money,
 was pleased to Authorize Her said Minister to
 give them Her utmost Assurances, to procure the
 establishment of all such Rights and Immunities,
 they had formerly enjoy'd under the House of
Austria, and that for their further Satisfaction, She
 sent for Powers from King *Charles* the Third,
 confirming the same, and was willing to be-
 come the Guarantee, that it should be done : Never-
 theless on this express Condition, that they should
 give the said King *Charles* as lawful King of
Spain, and utterly renounce the House of *Bourbon*.
 And, together with the said Instructions, Her Ma-
 jesty was pleas'd to sign and cause to be delivered
 Her said Minister, Credential Letters to the
 Nobility, Magistrates, and all other Officers Civil
 and Military of *Catalonia*, desiring them to depend
 on the Promises he should make them in her Name.
 And in Her Majesty's Instructions to the Earl of *Pe-
 row* and Sir *Cloudsley Shovel*, in or about the
 month of *May*, 1705, they are ordered to use their
 best Endeavours to induce the *Catalans* to join
 them in their Undertaking, and to assure them
 of Her Majesty's Support, and to promise them, in
 the Queen's Name, That She would secure them a
 confirmation of their Rights and Privileges, from
 the King of *Spain*, that they might be settled on a
 firm Foundation, to them and their Posterity.
 And in case Perswasions should not prevail, and the
Catalans should not make a suitable Return to those
 Offers, they were order'd to annoy their Towns
 on the Coasts of *Spain*, and to reduce them by
 force. And, in Conformity to these Instructions, a
 Manifesto, or Declaration was prepared, by the Pri-
 vate Advice of *Robert, &c.* then one of Her Ma-
 jesty's

jeſty's Principal Secretaries of State and deliver'd
 the ſaid Earl of *Peterborow*, full, on the one hand,
 the Affurances aforemention'd, and on the other hand
 of Menaces to them, in caſe they declined Her Ma-
 jeſty's Overtures, which *Maniſeſto* was afterwards
 publiſhed by him the ſaid Earl of *Peterborow* in *Catalonia*;
 And whereas the Nobility, Clergy, and the whole
 Principality of *Catalonia*, and the Inhabitants of the
 Iſle of *Majorca*, relying on the Faith of thoſe Royal
 Affurances, did utterly abandon the Houſe of *Bourbon*,
 and acknowledged King Charles the Third, his preſent
 Imperial Maſteſty, for the lawful Sovereign, and did
 join their Arms with thoſe of Her Maſteſty and Her
 Allies, againſt the Duke of *Anjou*; And it having
 pleas'd Almighty God ſo far to Bleſs Her Maſteſty's
 pious and glorious Undertaking, as by moſt ſignal
 Succeſſes, in ſhort time, to deliver the Principality
 of *Catalonia* from the heavy Yoke of *French* Bondage;
 and Supplies having been granted by Parliament, for
 reducing the whole Kingdom of *Spain* to the Obedi-
 ence of the Houſe of *Austria*; the Arms of Her
 Maſteſty and Her Allies were attended with vaſt
 Succeſſes, having twice enter'd the Capital City of
 the Kingdom, and obtained many other ſignal Conqueſts
 to the great Advantage of the Common Caſe.
 And thro' the whole Progreſs thereof, the Bravery
 and Firmneſs of the *Catalans* being always remem-
 ber'd, thereby, as well as from the repeated
 Affurances given to them, from time to time, in
 Her Maſteſty's Name, by every General and Miniſter
 ſent from *Great Britain* to *Spain*, the Hearts of
 the Brave People were united under the ſtrongeſt
 Ties of Affection and Gratitude to Her Maſteſty;
 and they were juſtly held in the ſtricteſt Dependence
 on the Continuance of her Royal Protection; he

said *Robert*, &c. being an Enemy to the Common
 Liberty of *Europe*, and having Traiterously enter'd
 into Conspiracies, for subjecting the whole *Spanish*
 Monarchy to the House of *Bourbon*, and designing
 most maliciously the utter Ruin and Destruction of
 the ancient Rights, Liberties and Privileges of the
Catalans, who had made so glorious a Stand for the
 Preservation of them, did together with other false
 and evil Counsellors, form a Dishonourable, Wick-
 ed, and Cruel Contrivance, not only for abandon-
 ing the *Catalans* to the Fury and Revenge of the
 Duke of *Anjou* and his Adherents, but for the final
 Extirpation of all their Rights, Liberties, and
 Privileges. And in Execution of that his Inten-
 tion, during the private, separate, and pernicious
 Negotiation of Peace which was carry'd on between
 him and the Ministers of *France*, and before any
 Negotiation of Peace was set on Foot, in due form
 of Law, between the Crowns of *Great Britain* and
Spain, did advise her Majesty to give Directions to
 the Lord *Lexington*, Her Ambassador to the Court
 of *Spain*, to acknowledge the Duke of *Anjou* King
 of *Spain*, but was greatly wanting in his Duty to
 Her Majesty, in not advising her to give Instructions
 to Her said Minister, at the same time peremptorily
 and absolutely to insist on the securing the *Catalans*
 Liberties at the Conclusion of the Peace. And altho'
 the private, separate, and treacherous Practices of
 him the said *Robert*, &c. and others, in Combina-
 tion with the Ministers of *France*, did afterwards,
 on or about the Fourteenth of *March* 1713, necessitate
 his present Imperial Majesty to conclude a Treaty
 for the Evacuating *Catalonia*, (whereof Her Majesty
 was Guarantee,) without any express and positive
 Stipulation for the *Catalans* Liberties, (his Imperial
 Majesty relying, in that respect, on Her Majesty's
 Declaration, to interpose for them in the most
 effectual

effectual manner, and on the Promises of the *French* King to join his Endeavours for the same Purpose.) And altho' Her Sacred Majesty did, both before and after, frequently declare by her Ministers in *Spain*, that she thought herself under the strongest Tyes of Honour and Conscience, not to abandon a People whom the Necessities of the War had obliged Her to draw into Her Interest. And tho' the *French* King did not join his Endeavours for the Purposes aforesaid; He the said *Robert*, &c. together with other false and wicked Counsellors, having from time to time amused and deceived the distressed *Catalans* with groundless Hopes of Her Majesty's effectual Interpositions, in their Favour, thereby engaging them in a more obstinate Defence of their Territories against the Duke of *Anjou*, was not only highly wanting in his Duty to Her Majesty, by not doing what in him lay, as a faithful Minister, to have prevented the Conclusion of the Treaty of Peace with *Spain*, till just and honourable Conditions were secured for the *Catalans*, but did falsely, maliciously, and treacherously advise Her Majesty to conclude a Peace with the King of *Spain*, without any Security for the ancient and just Rights, Liberties and Privileges of that brave, but unhappy Nation. And did further advise Her Majesty to send Sir James Wishart, her Admiral, with a large Squadron of Men of War, at a great Expence, to favour the said King of *Spain* in the Siege of *Barcelona*, the Capital City of *Catalonia*, and with expresse Instructions, That in Case the Inhabitants of *Majorca* should refuse the Terms that should be offered them by the Duke of *Anjou*, to employ his Squadron, in countenancing and assisting all Attempts that should be made, for reducing them to a due Obedience. By which most vile and detestable Counsels, Her Sacred Majesty, contrary to Her most pious Intentions, the Faith of Nations,

Nations, and the Duties of Religion, and Humanity itself, and contrary to her solemn and repeated Assurances, was prevailed on to abandon a distressed People, drawn in, and engaged by her own Invitation, into an open War with the Duke of *Anjou*, for the Preservation of the Liberties of *Europe*, and the Commerce of *Great Britain*. And the Persons, Estates, Dignities, Rights, Liberties, and Privileges of the *Catalans* were given up as a Sacrifice, to the implacable Resentment of their enraged and powerful Enemy; and the Honour of the *British* Nation, always renown'd for the Love of Liberty, and for giving Protection to the Assertors of it, was most basely prostituted, and a free and generous People, the faithful and useful Allies of this Kingdom, were betray'd in the most unparallel'd Manner, into irrevocable Slavery: And, in Consequence of which most dishonourable and perfidious Councils, the most execrable Hostilities, Burnings and Plunderings were committed upon them, throughout their whole Province, without sparing the effusion of Innocent Blood, and without the Distinction of Age or Sex; and that unfortunate People were afterwards forced to undergo the utmost Miseries of a Siege, in their Capital City of *Barcelona*; during which great Multitudes of them perished by Famine and Sword, many of them have since been Executed: And great Numbers of the Nobility of *Catalonia*, who for their Constancy and Bravery, in Defence of their Liberties, and for their Services in Conjunction with her Majesty and her Allies, had, in all Honour, Justice and Conscience, the highest Claim to Her Majesty's Protection, are now dispersed in Dungeons, throughout the *Spanish* Dominions; and not only the *Catalan* Liberties extirpated, but by those wicked Counsels

Counfels of him the ſaid Robert, &c. Catalonia it ſelf is almoſt become Deſolate.

All which Crimes and Miſdemeanors were committed, and done by him the ſaid Earl, againſt our late Sovereign Lady the Queen, her Crown and Dignity, the Peace and Interſt of this Kingdom, and in Breach of the ſeveral Truſts reſoſed in him the ſaid Earl.

And be the ſaid Robert, &c. was either Comiſſioner of the Treafury, or Lord High Treafurer of Great Britain, and one of her Maſeſty's Privy Council, during the time that all and every the Crimes before ſet forth, were done and committed.

For which Matters and Things, the Knights, Citizens, and Burgeſſes of the Houſe of Commons in Parliament aſſembled, do, in the Name of themſelves, and of all the Commons of Great Britain, further Impoſe the ſaid Robert, &c. of other High Crimes and Miſdemeanors in the ſaid Articles contained. And the ſaid Commons by Proteſtation, ſaving to themſelves the Liberty of exhibiting at any time hereafter, any other Accuſations or Impeachments againſt the ſaid Earl and alſo of replying to the Answers, which the ſaid Robert, &c. ſhall make to the Premifes, or any of them, or to any Impeachment or Accuſation that ſhall be by them exhibited, according to the Cuſtom and Proceedings of Parliament, do pray, That the ſaid Robert, &c. be put to answer all and every the Premifes; and that ſuch Proceedings, Examinations, Tryals and Judgments may be upon them, and every of them had and uſed, as ſhall be agreeable to Law and Juſtice.

F I N I S.